

JUDICIAL COUNCIL OF GEORGIA

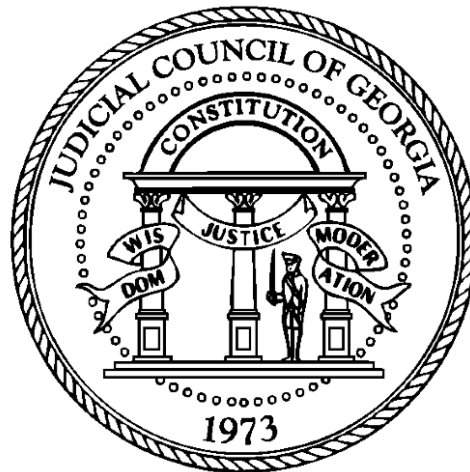
General Session

Friday, September 17, 2010

*State Offices South at Tift College
Georgia Department of Corrections*

1:00 p.m. – 4 p.m.

***Vinzant Hall
(Classroom A and B)***

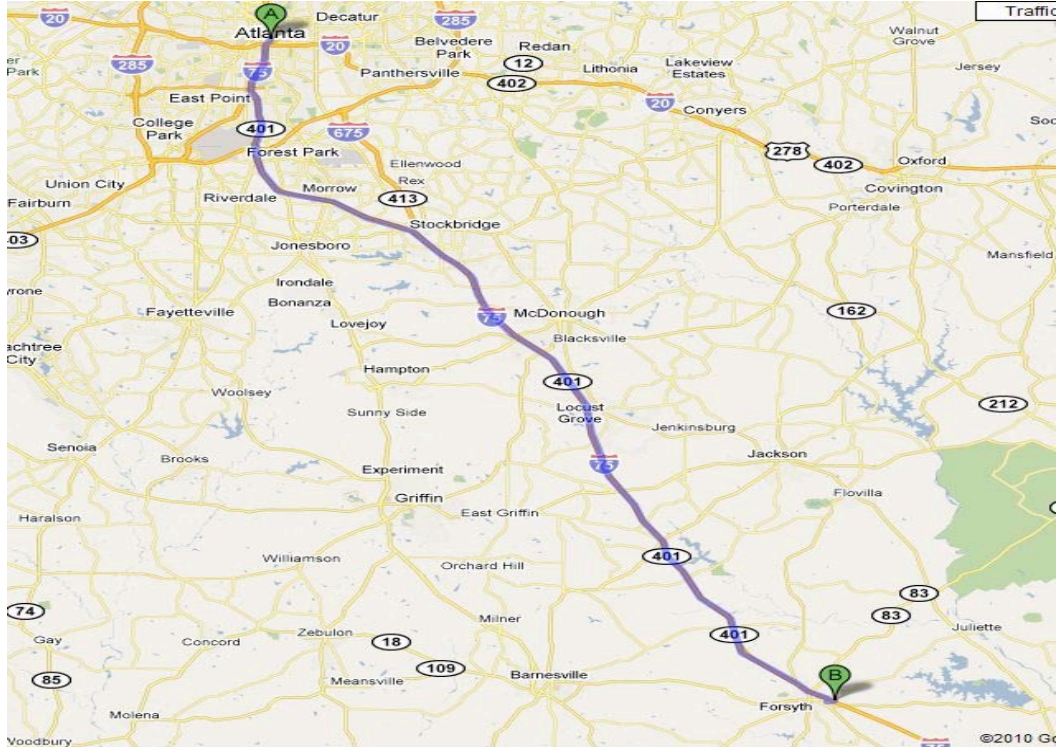


*Luncheon
12:00 p.m.*

***300 Patrol Road
Forsyth, GA 31029***

Directions

State Offices South at Tift College
Georgia Department of Corrections
300 Patrol Road
Forsyth, GA 31029



Driving on I-75 Northbound:

- Take exit 186 in Forsyth, GA.
- Turn left and proceed 0.25 miles to Patrol Road.
- Turn right on Patrol Road and proceed 0.45 miles to the entrance to Tift College on Left.

Driving on I-75 Southbound:

- Take exit 186 in Forsyth, GA.
- Turn right and proceed 0.12 miles to Patrol Road.
- Turn right on Patrol Road and proceed 0.45 miles to the entrance to Tift College on Left.

We are in the midst of paving our parking lot so parking is limited and car-pooling is encouraged. This is a secure facility. There will be a guard at the gate. You will need to present a photo ID and know the name of the building (Vinzant) where your meeting will be held. The guard will give you specific instructions where to park. **Firearms are not permitted on the premises.**

Judicial Council of Georgia
Membership
July 1, 2010

Chief Justice Carol W. Hunstein
Supreme Court
Chief Justice
507 State Judicial Building
Atlanta, GA 30334
Phone:

Presiding Justice George H. Carley
Supreme Court
Presiding Justice
536 State Judicial Building
Atlanta, GA 30334
Phone: 404-656-3471

Judge Louisa Abbot
District 1 - Eastern Circuit
Administrative Judge
Superior Court
Eastern Judicial Circuit
203 Chatham Co. Courthouse
133 Montgomery Street
Savannah, GA 31401
Phone: 912-652-7162

Judge Bill Bass
Council of State Court Judges
President
State Court
Grady County
311 N. Broad Street
PO Box 800
Cairo, GA 39828-0800
Phone: 229-377-2424

Chief Judge Cynthia J. Becker
District 4 - Stone Mountain Circuit
Administrative Judge
Superior Court
Stone Mountain Judicial Circuit
556 N. McDonough Street
Room 7240
Decatur, GA 30030
Phone: 404-371-2691

Judge Todd A. Blackwell
Council of Probate Court Judges
President Elect
Probate Court
Baldwin County
Baldwin County Courthouse
121 N. Wilkinson Street, Suite 109
Milledgeville, GA 31061
Phone: 478-445-4807

Chief Judge Martha C. Christian
District 3 - Macon Circuit
Administrative Judge
Superior Court
Macon Judicial Circuit
310 Bibb County Courthouse
Macon, GA 31201
Phone: 478-621-6620

Judge Deborah A. Edwards
Council of Juvenile Court Judges
Vice President
Houston Circuit
206 Carl Vinson Parkway
Warner Robins, GA 31088
Phone: 478-542-2060

Judge John J. Ellington
Court of Appeals
Presiding Judge
47 Trinity Avenue
Suite 501
Atlanta, GA 30334
Phone: 404-463-3026

Chief Judge C. Andrew Fuller
District 9 - Northeastern
Administrative Judge
Northeastern Judicial Circuit
PO Box 3362
Gainesville, GA 30503-3362
Phone: 770-531-6862

Judicial Council of Georgia
Membership
July 1, 2010

Judge Kathlene F. Gosselin
Council of Superior Court Judges
President
Superior Court
Northeastern Judicial Circuit
PO Box 1778
Gainesville, GA 30503
Phone: 770-531-6990

Judge F. Bryant Henry, Jr.
Council of Juvenile Court Judges
President
Lookout Mountain Circuit
PO Box 601
LaFayette, GA 30728-0601
Phone: 706-638-3044

Judge Lynwood D. Jordon, Jr.
Council of Probate Court Judges
President
Probate Court
Forsyth County
112 W. Maple Street
Suite 101
Cumming, GA 30040
Phone: 770-781-2140

Judge Ronnie Joe Lane
District 2 - Pataula Circuit
Administrative Judge
Superior Court
Pataula Judicial Circuit
PO Box 636
Donalsonville, GA 39845-0636
Phone: 229-524-2149

Chief Judge Arch W. McGarity
District 6 - Flint Circuit
Administrative Judge
Superior Court
Flint Judicial Circuit
Henry County Courthouse
One Courthouse Square
McDonough, GA 30253-3293
Phone: 770-288-7907

Chief Judge M. Yvette Miller
Court of Appeals
Chief Judge
47 Trinity Avenue
Suite 501
Atlanta, GA 30334
Phone: 404-463-3032

Judge Larry B. Mims
Council of State Court Judges
President Elect
State Court
Tift County
PO Box 1
Tifton, GA 31793
Phone: 229-386-7921

Judge Mary Kathryn Moss
Council of Magistrate Court Judges
President Elect
Magistrate Court
Chatham County
133 Montgomery Street
Room 300
Savannah, GA 31401
Phone: 912-652-7187

Chief Judge H. Frederick Mullis, Jr.
District 8 - Oconee Circuit
Administrative Judge
Superior Court
Oconee Judicial Circuit
PO Box 4248
Eastman, GA 31023-4248
Phone: 478-374-9800

Chief Judge John C. Pridgeon
Council of Superior Court Judges
President Elect
Superior Court
Cordele Judicial Circuit
PO Box 5025
Cordele, GA 31010-5025
Phone: 229-276-2619

Judicial Council of Georgia
Membership
July 1, 2010

Judge Mary E. Staley
District 7 - Cobb Circuit
Administrative Judge
Superior Court
Cobb Judicial Circuit
30 Waddell Street
Marietta, GA 30090
Phone: 770-528-1816

Chief Judge Lawton E. Stephens
District 10 - Western Circuit
Administrative Judge
Superior Court
Western Judicial Circuit
PO Box 8064
Athens, GA 30603-8064
Phone: 706-613-3175

Judge Al Willis
Council of Magistrate Court Judges
President
Magistrate Court
Dooly County
PO Box 336
Vienna, GA 31092-0336
Phone: 229-268-4324

Judge Nelly F. Withers
Council of Municipal Court Judges
President
Municipal Court
DeKalb County
3630 Camp Circle
Decatur, GA 30032-1394
Phone: 404-294-2848

Chief Judge Cynthia D. Wright
District 5 - Atlanta Circuit
Administrative Judge
Superior Court
Atlanta Judicial Circuit
T8855 Justice Center Tower
185 Central Avenue, SW
Atlanta, GA 30303
Phone: 404-730-4185

**Judicial Council of Georgia
State Offices South at Tift College
Georgia Department of Corrections
300 Patrol Road
Forsyth, Georgia 31029**

**Friday, September 17, 2010
1:00 p.m. – 4:00 p.m.**
*Lunch will be served at 12:00 p.m.
Group Photograph Will Be Taken at 12:45 p.m.*

- 1. Introductions and Preliminary Remarks**
(Chief Justice Carol W. Hunstein, Est. Time — 10 Min.)
- 2. Approval of Minutes**
(Chief Justice Carol W. Hunstein, Est. Time — 5 Min.)
 - A. June 11, 2010**
- 3. Committee Reports:**
 - A. Standing Committee on Policy & Legislative Update**
(Mr. Mike Cuccaro, Est. Time — 10 Min.)
 - B. Judicial Workload Assessment Committee**
(Judge David T. Emerson, Est. Time — 10 Min.)
 - C. Budget Matters**
(Mr. Randy Dennis and Ms. Kelly Steele, Est. Time — 10 Min.)
 - D. Jury Composition Committee**
(Mr. Mike Cuccaro, Est. Time — 10 Min.)
 - E. Process Server Certification**
(Chief Judge Cynthia J. Becker, Est. Time — 15 Min.)
 - F. Records Retention Committee Report**
(Judge Brenda S. Weaver, Est. Time — 15 Min.)
 - *****Break – 10 Min.*******
- 4. Report from AOC Director**
(Ms. Marla S. Moore, Time — 15 Min.)

5. Reports from Appellate Courts and Trial Court Councils

A. Supreme Court

(Chief Justice Carol W. Hunstein, Est. Time — 5 Min.)

B. Court of Appeals

(Chief Judge M. Yvette Miller, Est. Time — 5 Min.)

C. Council of Superior Court Judges

(Judge Kathlene F. Gosselin, Est. Time — 5 Min.)

D. Council of State Court Judges

(Judge Bill Bass, Est. Time — 5 Min.)

E. Council of Juvenile Court Judges

(Judge F. Bryant Henry, Jr., Est. Time — 5 Min.)

F. Council of Probate Court Judges

(Judge Lynwood D. Jordan, Jr., Est. Time — 5 Min.)

G. Council of Magistrate Court Judges

(Judge Al Willis, Est. Time — 5 Min.)

H. Council of Municipal Court Judges

(Judge Nelly F. Withers, Est. Time — 5 Min.)

6. Old Business

(Chief Justice Carol W. Hunstein, Est. Time — 5 Min)

7. New Business

(Chief Justice Carol W. Hunstein, Est. Time — 5 Min.)

A. Provision of Language Interpreters/DOJ Ruling

8. Concluding Remarks and Adjournment

(Chief Justice Carol W. Hunstein, Est. Time — 5 Min.)

A. Next Regular Council Meeting

Date: Friday, January 21, 2011

Place: Georgia Center, Athens

Time: 1:00 p.m.

Judicial Council of Georgia
Twin Towers Office Building
Atlanta, Georgia
June 11, 2010

Members Present:

Chief Justice Carol W. Hunstein
Presiding Justice George H. Carley
Judge John J. Ellington
Judge Louisa Abbot
Judge John D. Allen
Judge A. Quillian Baldwin, Jr.
Judge Cynthia J. Becker
Judge Todd A. Blackwell
Judge William (Bill) Bass, Sr.
Judge Michael C. Clark
Judge Kathlene F. Gosselin
Judge Deborah A. Edwards
Judge David T. Emerson
Judge F. Bryant Henry, Jr.
Judge Lynwood D. Jordan, Jr.
Judge Ronnie Joe Lane
Judge John C. Pridgen
Judge Stan Smith
Judge C. David Strickland

By Conference Phone:

Judge Richard Alexander
Judge Connie Holt (for Judge Willis)
Judge Larry B. Mims
Judge Lawton E. Stephens
Judge Cynthia D. Wright

Members Absent:

Chief Judge M. Yvette Miller
Judge William A. (Al) Willis

Staff Present:

Ms. Marla S. Moore
Ms. Ashley Stollar

Ms. Billie Bolton
Mr. Byron Branch
Mr. Jorge Basto
Mr. Randy Dennis
Ms. Kelly Steele
Ms. Cynthia Clanton
Mr. Kevin Tolmich
Mr. Robert Bray
Mr. Mike Cuccaro
Mr. Chris Patterson
Ms. Crystal Johnson
Mr. Christopher Causey
Mr. Edwin Bell

Guests Present:

Ms. Dena M. Adams, Superior Court Clerk of White County
Ms. Tee Barnes, Clerk, Supreme Court of Georgia
Mrs. Celia Bass, Grady County
Mr. Tracey BeMent, Tenth District Court Administrator
Ms. Shelby Bricka, Senate Budget Office
Mr. Bryan Cavan, State Bar of Georgia
Judge Martha Christian, Macon Judicial Circuit
Mr. John Cowart, Second District Court Administrator
Mr. Michael Cuffee, Deputy Court Administrator, Fulton Superior Court
Mr. Danny DeLoach, First District Court Administrator
Mr. Steve Ferrell, Ninth District Court Administrator
Mr. Eric John, Council of Juvenile Court Judges
Mr. Greg Jones, Third District Court Administrator
Judge George Kreeger, Cobb Judicial Circuit
Ms. Sandy Lee, Council of Superior Court Judges
Ms. Sallie Lockwood, Board of Bar Examiners
Mr. Greg Loughland, Commission on Family Violence
Ms. Cathy McCumber, Fourth District Court Administrator
Judge Arch McGarity, Flint Judicial Circuit
Mr. Bill Martin, Clerk and Court Administrator, Court of Appeals
Mr. Charles Miller, Council of Superior Court Judges
Ms. Tia Milton, Chief of Staff, Office of Chief Justice
Ms. Kendra Mitchell, House Budget Office
Mr. Shinji Morokuma, Office of Dispute Resolution
Judge Fredrick Mullis, Oconee Judicial Circuit
Mr. Robert Nadekow, Eighth District Court Administrator
Ms. Lois Oakley, State Office of Administrative Hearings
Ms. Edith Primm, Office of Dispute Resolution
Mr. Richard Reaves, Institute of Continuing Judicial Education

Ms. Sharon Reiss, Council of Magistrate Court Judges
Mr. Will Simmons, Sixth District Court Administrator
Judge Rucker Smith, Southwestern Judicial Circuit
Judge Mary Staley, Cobb Judicial Circuit
Mr. Lester Tate, State Bar of Georgia
Ms. Kirsten Wallace, Council of Juvenile Court Judges
Mr. Shannon Weathers, Council of Superior Court Judges
Judge Brenda Weaver, Appalachian Judicial Circuit

Call to Order

Chief Justice Hunstein called the meeting to order promptly at 9:00 a.m. In welcoming members and guests, she noted that cooperation within the judicial branch had improved our relationship with the Legislature over the course of the 2010 Session. She greeted those participating by conference call: Judge Lawton Stephens, Judge Larry Mims, Judge Richard Alexander, Judge Connie Holt (substituting for Judge Willis) and Judge Cynthia Wright. The Chief Justice especially welcomed new members: Judge Abbot, Judge Pridgen, Judge Mims, Judge Edwards and Judge Blackwell. She asked the members to introduce themselves followed by those in the audience.

Approval of Agenda and Minutes

Chief Justice Hunstein called attention to the prepared Agenda and asked for a motion to approve. Judge Bass moved approval; Judge Abbot seconded. The motion carried.

Turning to the minutes of the Judicial Council meetings held on December 11, 2009 and February 24, 2010, the Chief Justice asked for additions or corrections. Presiding Justice Carley moved approval of the minutes as prepared. Judge Baldwin seconded. The motion carried.

Reports from Judicial Council Committees

Nominating Committee. Judge Stephens, Chair, reported that the committee had been asked to fill four vacancies on the Board of Court Reporting: a superior court judge; an attorney; and two court reporters. On behalf of the committee he recommended appointment of the following individuals: Judge Ural Glanville, Atlanta Judicial Circuit; Mr. Ben Perkins, Esq. of Savannah; Mr. Dennis Bull of Roswell; and Ms. Anita Moore of Eastanollee.

Judge Baldwin moved to accept the recommendations as presented. Judge Becker seconded. The motion carried.

Committee on Policy & 2010 Legislative Update. Mr. Cuccaro reviewed highlights of the 2010 Session of the General Assembly: election of Rep. David Ralston as the new House Speaker; reshuffling of Senate leadership; and the severe budget reductions caused by the state's economic woes. He noted that Rep. Wendell Willard and Sen. John Wiles will speak to the Council later in today's meeting.

Mr. Cuccaro reported that the AOC had hosted weekly meetings for judicial branch staff to discuss legislation and share information. Both Ms. Moore and Chief Justice Hunstein have emphasized the benefits of open communication among judicial branch groups and the need for cooperation. Unpaid interns assisted AOC staff in tracking developments at the General Assembly, and two lawyer volunteers served as legislative liaisons. A comprehensive summary of court-related legislation will be published and distributed in the coming weeks.

Presiding Justice Carley reported on end-of-session status of legislation supported by the Judicial Council Policy Committee. A measure to formalize regulation of court process servers passed both Houses and has been signed by the Governor. The Judicial Council has been given the responsibility of developing rules governing the certification of the court process servers and the AOC must approve training programs and providers. Chief Justice Hunstein will appoint a Judicial Council subcommittee to work with the Sheriffs Association and AOC staff on drafting rules for review by the Judicial Council in September. Justice Carley noted that the measure revising the Evidence Code did not pass; and although a measure requiring that municipal court judges be licensed to practice law passed both Houses, it was vetoed by Governor Perdue.

Presiding Justice Carley also reviewed recent developments following passage of HB 1055 increasing certain court fees. The ten-fold increase (from \$1.50/page to \$10/page) in filing charges for trial court records going up on appeal caused a great deal of concern for appellate judges and attorneys. After consultation with sponsors of the bill, the Supreme Court initiated a rule change to bypass the increase. The Court of Appeals has adopted a similar rule change.

Standing Committee on Drug Courts. Judge Kreeger thanked the Judicial Council for its support of the Annual Drug Court Conference held recently in Atlanta. He reported that this year's conference, again chaired by Judge Jeff Bagley, attracted more than 450 participants. Remaining funds budgeted for conference expenses will be directed to the AOC for continued support of drug court programs. The state performance audit report on Adult Felony Drug Courts has not yet been completed. Judge Kreeger called attention to the committee's grant recommendations for drug court funding in FY11 (see Attachment A). A total of \$1.9 million will be distributed among 63 courts. Judge Emerson moved approval of the recommendations. Judge Clark seconded. The motion carried.

Commending Judge Kreeger for his able leadership of Georgia Drug Courts, Chief Justice Hunstein noted that both he and Judge Robert Castellani of the Stone Mountain Circuit were recognized at the conference for their leadership in the drug court movement.

Records Retention. Judge Weaver reported that proposed changes to Judicial Branch records retention schedules were recently circulated for comment. July 2 is the deadline for submission of responses to the committee. Noting that the Department of Archives State Records Committee (SRC) must receive retention schedules requiring action at their October 14 meeting by August 31, 2010, she requested that the Council authorize release of the retention schedules to the State Records Committee at this time. At its September meeting if the Council finds problems with the committee's work, the submission to the State Records Committee can be withdrawn.

Judge Gosselin moved that the committee be authorized to submit the proposed schedules to the State Records Committee as requested. Judge Pridgen seconded. The motion carried.

Judge Weaver turned to the committee's recommendation that the standards for imaging and hardware specifications used by the Department of Archives and History be adopted by the Judicial Council. Judge Abbot moved adoption of this recommendation. Judge Gosselin seconded. The motion carried.

Recusal Rule Committee. Chief Justice Hunstein reported that all classes of court have been asked to draft a recusal rule that best serves the needs of the particular court. After draft rules are considered by the judges' councils this summer; the committee will review the completed work. She noted that Rep. Ed Lindsey has expressed his appreciation to the courts for taking up this issue, rather than leaving it to the Legislature.

Judicial Workload Assessment Committee. Judge Emerson expressed appreciation to Chief Justice Hunstein for her active participation in the committee's work. He reported that assigning case times and judge-year values to the unique cases handled by accountability courts remains to be accomplished; the committee plans to review the process used by other states.

He briefly noted that the more precise case-types adopted by the Council last year have allowed for greater precision in measuring judicial workloads. Today the committee proposes two changes to the current rules governing the judgeship study. First, revise the current policy such that a full judgeship study need not be conducted for each circuit where total filings exceed a certain level, although the Chief Judge may appeal. Second delete the provision requiring a circuit to re-qualify if caseload totals change by plus ten percent. (See Attachment B.)

Supreme Court Jury Composition Committee

Ms. Moore, reporting for Justice Thompson, noted that each judicial branch study committee report over the past 30 years has recommended reform of the balanced box system. Today the Jury Composition Committee is happy to report that completion of its feasibility study on constructing a statewide jury source list is imminent. Later this month Applied Research Services, Inc. will recommend to the committee that a statewide source list system using information from existing databases at the Division of Driver Services, Voter Registration Lists and Vital Records replace the balanced box. The merger methodology involves purging duplicates from the combined lists and submission of cleaned data to the National Change of Address database to update addresses. Once the committee has set appropriate standards regarding data preparation and revised court rules and legislation for implementing the new system, the findings will be presented to the full committee.

Ms. Moore expressed her appreciation to the many superior court clerks who have been actively involved in shaping this new source list process. She stated that a full report will be made to the Judicial Council at its September meeting.

Budget Matters

Mr. Dennis reported on the end-of-session status of the Judicial Council budget. He reviewed a graph depicting the historical highs and lows of Judicial Council funding over the period FY06 to FY11. Using FY10 baseline budget of \$12,319,579 as a benchmark, at \$10,607,483 appropriated for FY11, we have taken reductions totaling almost \$2,000,000. He also reviewed charts showing funding for each Judicial Council budget unit for FY10 and FY11.

The Commission on Family Violence will soon transfer to the judicial branch and be housed at the AOC with no incremental increase in operating funds. Mr. Dennis stated that while economic recovery has begun, he is not optimistic that state revenues will increase in FY12. In closing he noted that financial reporting of aggregate payments made to each agency vendor has been made a requirement by the Legislature. These reports will be available on-line.

Institute of Continuing Judicial Education

Mr. Reaves stated that the fifty percent reduction in the Institute's state funds for FY11 will necessitate a per person charge for ICJE seminars and courses in the future. He is proposing \$15/program hour for each participant to raise a total of \$600,000 needed to insure the continued viability of ICJE. He provided a handout detailing changes ICJE will make beginning in July.

Chief Justice Hunstein asked Mr. Reaves how the fees would be collected. He stated that participants in ICJE programs would pay up front so that the Institute can continue to provide two seminars per year for each class of court. The cost to judges for the remainder of 2010 should be no more than \$180/judge. Fees will also be assessed for the required training of active

senior judges; judicial law clerks may attend seminars at a reduced rate. Mr. Reaves urged the Council members to stress with their local legislators the benefits to the entire state of bringing judges together for continuing education.

AOC Director's Report

Ms. Moore began by recognizing and commending AOC staff members for their excellent work and, as she put it, doing more with less. She noted that the AOC has absorbed 12% reductions to its budget while taking on more functions. The Office of Dispute Resolution is now part of the AOC and the Commission on Family Violence will be added in July. She sees both of these groups as assets to the agency and its mission. Regrettably, the budget for the Georgia Courts Automation Commission was a casualty of the session, but GCAC's current contracts will go forward into FY11 and AOC staff will provide administrative support to the Commission. Ms. Moore noted that all case management systems supported by AOC Information Technology were fully updated and ready to go within the week of the new court fees going into effect upon the Governor's signature. She is reviewing recommendations to strengthen organizational efficiency made by the National Center for State Courts in their recent study of the AOC

Turning to upcoming events, on July 9, 2010 (subsequently rescheduled), the Judicial Workload Assessment Committee will hold a forum for stakeholders to discuss issues of concern regarding the judgeship study and annual case count. On August 9-11 Georgia will host the Conference of Court Public Information Officers annual meeting to be held at the Georgian Terrace Hotel. Ashley Stollar and Billie Bolton of AOC Communications are working with the national planning committee to set up the educational program and activities for participants.

In closing Ms. Moore pointed out that the Orders creating the Judicial Council had been included in the agenda packets for the benefit of new members, along with a calendar of judicial branch events scheduled during the coming months.

Reports from Appellate and Trial Court Councils

Supreme Court. Chief Justice Hunstein reported that despite damaging budget cuts the Supreme Court continues to function effectively. Since last year nine staff positions have been lost; all Supreme Court staff and judges have taken furlough days. She emphasized that deeper budget cuts would severely hamper the Court's ability to perform its constitutional responsibilities. Increases in court filing fees passed by the General Assembly do not directly benefit the court system budget. Counties retain a portion of the new fees collected and the remainder is designated to the state's general fund. Accompanied by Mr. Bryan Cavan, president of the State Bar of Georgia, the Chief Justice travelled the state this spring speaking to newspaper editorial boards regarding the need for adequate funding of the third branch. She thanked Mr. Cavan for his able assistance to the courts during his term as president and welcomed Mr. Lester Tate, the incoming State Bar president.

Court of Appeals. Judge Ellington reported the upcoming retirements of Judge Blackburn (June 30), Judge Johnson (Dec. 31) and Mr. Martin, clerk and court administrator, (Aug. 1). Ms. Holly Sparrow, currently the assistant court administrator, will serve as Interim Clerk; Mr. Martin will be retained as a contract consultant. He expressed appreciation to Chief Justice Hunstein, Presiding Judge Miller, Mr. Cavan and Mr. Tate for their work in fashioning an interim solution allowing appellants to bypass increased filing fees passed by the Legislature. Judge Ellington noted that funding reductions are challenging to the Court of Appeals judges and

staff, however, doing less with less is simply not an option. The trial and appellate courts continue to do their best in upholding their constitutional responsibilities.

Superior Courts. Judge Gosselin also spoke to the difficulties presented by funding decreases. The staff of the Council of Superior Court Judges, the district court administrators and judges continue to meet their responsibilities. Budget reductions have impacted the superior courts continuing education funds, judicial travel expense reimbursements, the services of senior judges, and staff time lost to furlough days. She noted that although the FY11 appropriations restores some funding for senior judge days, and includes funding for three new superior court judge positions, the superior courts are still struggling to meet the demand for court time. She expressed appreciation to Chief Justice Hunstein and Speaker David Ralston for their efforts on behalf of the judicial branch.

State Courts. Judge Bass praised the collegial atmosphere he has experienced during his time on the Judicial Council as beneficial to the courts and to the public good. Moving away from expensive resort locations, the state court judges have held meetings recently in Tifton and Atlanta. The change has given the local hosts an opportunity to showcase their communities and has been received enthusiastically by judges and their families. The council has also doubled its annual membership dues. The state court judges continue to implement their court improvement strategic plan and to support the work of ICJE. In closing, Judge Bass urged the Council members to keep working together, keep working with the Legislature and keep promoting respect for all three branches of government.

Juvenile Courts. Judge Henry stated that the Supreme Court Committee on Children continues to be a resource for juvenile court judges as does the Governor's Office for Children and Families. Georgia's juvenile court judges are collaborating with neighboring states to

expedite the cumbersome procedures required for return of runaways through the Interstate Compact. Judge Michael Key of Troup County Juvenile Court takes office as President of the National Council of Juvenile and Family Court Judges this summer. Judge Key has expressed his hope to offer Judicial College courses at regional locations and to hold the 2011 National Child Abuse Prevention Conference in Atlanta in the coming year.

Probate Courts. Judge Jordan reported ongoing work on revision of the Uniform Rules of Probate Court. The council has assigned specific rules for review and updating by small groups; work on their strategic business and IT plans is also going forward. A comprehensive manual for probate judges was distributed in April and in July a mentoring conference and new judge orientation are planned. Probate clerks are benefitting from standardized regional training sessions. The revised probate handbook covering all areas of probate jurisdiction is now available in digital format and may be purchased by lawyers.

Magistrate Courts. Judge Alexander made his report by conference phone. He stated that the magistrates have recently revised their by-laws on annual elections for the Council of Magistrate Court Judges so that electronic notices can be used rather than US Mail. Annual training requirements for magistrates have been lowered from 20 hours to 12 hours and fewer regional meetings will be held.

Municipal Courts. Judge Strickland expressed appreciation to the Council members for his warm reception at Judicial Council meetings. He reported that the Supreme Court approved the long-awaited Uniform Rules of Municipal Court on April 1. The many judges who contributed to making these rules a reality are deservedly proud of that achievement. He expressed disappointment over the Governor's veto of the bill requiring that municipal court

judges be members of the State Bar of Georgia. They will move forward with this proposal again during the 2011 Session of the General Assembly.

Legislative Guests

Representative Wendell Willard, Chair of the House Judiciary Committee and Senator John Wiles, Chair of Senate Judiciary were welcomed to the meeting by Chief Justice Carol Hunstein. Each made brief remarks to the Council regarding the 2010 Session. Both Sen. Wiles and Rep. Willard will be joining the Council members at lunch following the meeting.

Old/New Business

Chief Justice Hunstein presented certificates of appreciation to Judicial Council members whose terms are ending: Judge Alexander; Judge Allen; Judge Baldwin; Judge Clark; Judge Emerson; Judge Smith and Judge Strickland. Certificates will be mailed to judges whose terms ended prior to today's meeting.

The next regular meeting of the Judicial Council is scheduled for Friday, September 17, 2010 at 1:00 p.m. The location of the meeting will be announced in the near future.

Adjournment

Hearing no further business, Chief Justice Hunstein adjourned the meeting at 12:00 noon.

Respectfully submitted:

Billie Bolton, Assistant Director

The above and foregoing minutes were approved at the meeting held on the ____ day of _____, 2010.

Attachment A

**Judicial Council Standing Committee on Drug Courts
FY2011 Grant Award Amounts**

	Court	Court Type	Application Type	Final Recommendation
1	Piedmont Judicial Circuit Drug Court	Adult Felony	Implementation	\$ 75,000
2	Wayne Drug Court	Adult Felony	Implementation	\$ 75,000
3	Appalachian Judicial Circuit Adult Drug Court	Adult Felony	Operational	\$ 40,757
4	Atlantic Judicial Circuit Drug Court	Adult Felony	Operational	\$ 33,644
5	Augusta Judicial Circuit Drug Court	Adult Felony	Operational	\$ 39,086
6	Bibb County Drug Court Program	Adult Felony	Operational	\$ 36,483
7	Carroll County Drug Court	Adult Felony	Operational	\$ 33,328
8	Cherokee Circuit Drug Court	Adult Felony	Operational	\$ 36,032
9	Clayton Adult Felony Drug Court	Adult Felony	Operational	\$ 31,099
10	Cobb County Drug Treatment Court	Adult Felony	Operational	\$ 36,942
11	Conasauga Drug Court	Adult Felony	Operational	\$ 36,254
12	DeKalb County Drug Court	Adult Felony	Operational	\$ 44,499
13	Dublin Judicial Drug Court	Adult Felony	Operational	\$ 28,790
14	Enotah Drug Treatment Court	Adult Felony	Operational	\$ 33,228
15	Forsyth County Drug Court	Adult Felony	Operational	\$ 34,554
16	Fulton County Adult Drug Court	Adult Felony	Operational	\$ 48,555
17	Glynn/Camden County Drug Court	Adult Felony	Operational	\$ 56,529
18	Griffin Judicial Circuit Drug Court	Adult Felony	Operational	\$ 30,138
19	Gwinnett County Drug Court	Adult Felony	Operational	\$ 33,199
20	Habersham County Drug Court	Adult Felony	Operational	\$ 29,012
21	Hall County Drug Court	Adult Felony	Operational	\$ 40,512
22	Muscogee County Adult Felony Drug Court	Adult Felony	Operational	\$ 30,977
23	Ocmulgee Judicial Circuit Drug Court	Adult Felony	Operational	\$ 33,838
24	Ogeechee Judicial Drug Court	Adult Felony	Operational	\$ 32,296
25	Pataula Judicial Circuit Drug Court	Adult Felony	Operational	\$ 35,444
26	Savannah-Chatham County Drug Court	Adult Felony	Operational	\$ 34,425
27	Tallapoosa Drug Intervention Program	Adult Felony	Operational	\$ 37,344
28	Towaliga Judicial Circuit Special Drug Court	Adult Felony	Operational	\$ 35,831
29	Waycross Judicial Circuit Drug Court Program	Adult Felony	Operational	\$ 11,013
30	Western Judicial Circuit Felony Drug Court	Adult Felony	Operational	\$ 32,232
31	Dawson County Treatment Court- /Felony Drug	Hybrid	Operational	\$ 33,680
	Dawson County Treatment Court- /DUI	Hybrid	Operational	\$ 13,133

1	Athens Clarke County DUI/Drug Court	DUI	Operational	\$	24,143
2	Burke County State Court	DUI	Operational	\$	20,822
3	Chatham County DUI Court	DUI	Operational	\$	28,272
4	Cherokee County DUI/Drug Court	DUI	Operational	\$	23,941
5	Clayton County DUI Court	DUI	Operational	\$	24,118
6	Cobb County DUI Court	DUI	Operational	\$	17,060
7	DeKalb Co. DUI Court Supervised Treatment Program	DUI	Operational	\$	24,345
8	Forsyth County DUI Court	DUI	Operational	\$	21,416
9	Fulton County DUI Court	DUI	Operational	\$	17,401
10	Gwinnett County DUI Court	DUI	Operational	\$	22,704
11	Hall County DUI Court	DUI	Operational	\$	30,507
12	Henry County DUI Court	DUI	Operational	\$	13,310
13	Rockdale County DUI Court	DUI	Operational	\$	18,487
14	Troup County DUI/Drug Court	DUI	Operational	\$	19,686
15	Bulloch County DUI Court	DUI	Implementation	\$	75,000
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1	Appalachian Judicial Circuit Family Drug Court	Family	Operational	\$	31,522
2	Bartow County Family Drug Treatment Court	Family	Operational	\$	25,608
3	Chatham County Family Dependency Treatment Court	Family	Operational	\$	32,999
4	Cobb County Family Dependency Treatment Court	Family	Operational	\$	40,177
5	Douglas County Juvenile Court	Family	Operational	\$	26,374
6	Enotah Family Drug Court- South	Family	Operational	\$	8,303
7	Fulton County Juvenile Court Family Drug Court	Family	Operational	\$	14,864
8	Hall County Family Treatment Court	Family	Operational	\$	22,128
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1	Fulton County Juvenile Drug Court	Juvenile	Implementation	\$	37,500
2	Appalachian Juvenile Drug Court	Juvenile	Operational	\$	37,409
3	Carroll County Juvenile Drug Court	Juvenile	Operational	\$	26,180
4	Cobb County Juvenile Drug Treatment Court	Juvenile	Operational	\$	44,951
5	Columbus/Muscogee County Juvenile Drug Court	Juvenile	Operational	\$	39,051
6	DeKalb County Juvenile Drug Court	Juvenile	Operational	\$	25,957
7	Forsyth County Juvenile Accountability	Juvenile	Operational	\$	28,561
8	Newton County Juvenile Drug Court	Juvenile	Operational	\$	18,751

Attachment B

From meeting on June 11, 2010

Methodology

1. Criteria for Superior Court Judgeship Requests

In establishing the need for additional superior court judgeships, the Judicial Council will consider weighted caseloads per judge for each circuit. If the per judge weighted caseload meets the threshold standards established by the Council for consideration of an additional judgeship, additional criteria will be considered. The threshold standard is a value set by the Judicial Council in open session. (06/08/2005) **No study will be conducted when a requesting circuit does not meet the threshold criteria established by the Judicial Council. When the AOC determines that a requesting circuit does not meet the minimum criteria, the chief judge of the circuit will be so notified along with information as to how to appeal to the Council's Judicial Workload Assessment Committee and the time frame for such appeal. (6/11/2010)**

5. Length of Recommendations

Upon a recommendation of an additional judgeship or to alter circuit boundaries for a judicial circuit by the council, the recommendation shall remain approved by the council for a period of three years, unless the caseload of that circuit decreases ten percent or more. (Rev. 12/13/1996) (6/11/2010) **Deleted the wording, "unless the caseload of that circuit changes plus or minus ten percent."**

Chief Justice Carol W. Hunstein
Chair



To: Judicial Council Members
From: Presiding Justice George H. Carley
Date: 9/10/10
Re: Policy Committee Report

THE FOLLOWING LEGISLATION WAS SUPPORTED BY THE JUDICIAL COUNCIL DURING THE LAST LEGISLATIVE SESSION BUT DID NOT PASS. IT IS EXPECTED THAT SOME OR ALL OF THESE BILLS MAY BE RE-INTRODUCED IN THE NEXT GENERAL ASSEMBLY. IF A BILL IS MARKED (TENTATIVE), THAT INDICATES THE CLASS OF COURT PROPOSING THE LEGISLATION HAS INFORMED THE POLICY COMMITTEE STAFF AT THE AOC THAT THE LEGISLATION WILL BE RE-EVALUATED.

I. HB 24 - EVIDENCE; REVISE, SUPERSEDE, AND MODERNIZE PROVISIONS; PROVIDE DEFINITIONS (COURT INTERPRETERS)

SUMMARY: HB 24 IS A REWRITE OF THE EVIDENCE CODE OF GEORGIA, TITLE 24, TO PROVIDE THAT GEORGIA LAW TRACK FEDERAL EVIDENCE RULES MORE CLOSELY. HB 24 INCLUDES A PROVISION ON COURT FOREIGN LANGUAGE INTERPRETERS AND INTERPRETERS FOR THE HEARING IMPAIRED.

II. HB 185 - CHIEF JUSTICE OF THE SUPREME COURT; EMERGENCY POWERS; PROVISIONS

SUMMARY: HB 185 DIRECTS THOSE SEEKING TO CHALLENGE A VACCINATION OR QUARANTINE ORDER TO FILE IN THE SUPERIOR COURT IN EITHER THEIR COUNTY OF RESIDENCE OR FULTON COUNTY. HB 185 PROVIDES FOR AN IMMEDIATE, EXPEDITED DIRECT APPEAL TO THE SUPREME COURT, OR ANY AVAILABLE JUSTICE IF THE FULL COURT IS NOT AVAILABLE, FROM SUPERIOR COURT ORDERS RESOLVING CHALLENGES TO VACCINATION AND QUARANTINE ORDERS. MAKES CLEAR THAT ONLY THE CHIEF JUSTICE OF THE SUPREME COURT, AS OPPOSED TO THE COURT OF APPEALS, IS AUTHORIZED TO DECLARE A STATEWIDE STATE OF JUDICIAL EMERGENCY. HB 185 ALLOWS FOR THE CHIEF JUSTICE OF THE SUPREME COURT OF GEORGIA TO EXTEND THE DURATION OF A JUDICIAL EMERGENCY ORDER WHEN A PUBLIC HEALTH EMERGENCY EXISTS. CURRENTLY, AN ORDER HAS A LIMITED DURATION OF 30 DAYS HOWEVER, THAT ORDER MAY BE MODIFIED OR EXTENDED FOR NO MORE THAN TWO PERIODS NOT EXCEEDING 30 DAYS EACH.

III. HB 478 - Municipal courts; judges to be attorneys; require

SUMMARY: This bill amends Code Section 36-32-1.1 of the O.C.G.A, by requiring municipal court judges to be licensed to practice law in the State of Georgia and a member in good standing with the State Bar of Georgia. This does not apply to any judge serving on June 30, 2010.

IV. HB 817 - GEORGIA JUDICIAL RETIREMENT SYSTEM; JUVENILE JUDGES; PROVIDE (TENTATIVE)

SUMMARY: HB 817 AMENDS O.C.G.A. 47-23-64 BY ALLOWING JUVENILE COURT JUDGES TO TRANSFER FUNDS FROM THE EMPLOYEES RETIREMENT SYSTEM (ERS) TO THE JUDICIAL RETIREMENT SYSTEM (JRS).

V. SB 181 - RETIREMENT; CHANGE BOARD OF TRUSTEES TO GA JUDICIAL RETIREMENT SYSTEM (TENTATIVE)

SUMMARY: SB 181 AMENDS O.C.G.A. § 47-23-20 BY ADDING TWO ADDITIONAL MEMBERS TO THE EMPLOYEE RETIREMENT BOARD AND DEFINES THAT A SUPERIOR COURT JUDGE, STATE COURT JUDGE, JUVENILE COURT JUDGE, DISTRICT ATTORNEY AND A SOLICITOR SHOULD EACH BE REPRESENTED ON THE BOARD.

VI. HB 1055 - INCREASE OF CERTAIN COURT FEES.

SUMMARY: IN RESPONSE TO HB 1055 THE APPELLATE COURT AMENDED THEIR RULES TO ALLOW THE PARTIES, TOGETHER, TO CERTIFY THE CASE RECORD TO THE APPELLATE COURTS. THESE RULE AMENDMENT WERE INTENDED TO BE TEMPORARY UNTIL THE LEGISLATURE TAKES ACTION IN THE COMING SESSION.

VII. HB 1171 - Bonds for good behavior; application and notice for show cause hearing; provisions

SUMMARY: HB 1171 ALLOWS FOR A JUDICIAL OFFICER TO ISSUE AN ARREST WARRANT FOR A PERSON LISTED IN THE APPLICATION THAT SHOWS IMMINENT DANGER TO SOMEONE IN THE COUNTY OR IMMINENT DAMAGE TO PROPERTY IN THE COUNTY. UPON THE ARREST, A HEARING SHALL BE HELD WITHIN 24 HOURS OR THE PERSON MAY BE RELEASE ON BOND.

VIII. SB 180 - DRIVING PERMITS; ALLOW ISSUANCE OF A LIMITED DRIVING PERMIT; PERSON CONVICTED OF DRIVING UNDER THE INFLUENCE SUBJECT TO CERTAIN CONDITIONS (TENTATIVE)

SUMMARY: SB 180 ALLOWS 2ND DUI OFFENDERS TO APPLY FOR A LIMITED DRIVING PERMIT AFTER 120 DAY HARD SUSPENSION UNDER THE DISCRETION OF THE SENTENCING JUDGE PROVIDING THAT AN INTERLOCK DEVICE IS INSTALLED IN THE OFFENDER'S VEHICLE AND THEY PARTICIPATE IN A DUI OR DRUG COURT PROGRAM OR A DHR MULTIPLE OFFENDER PROGRAM. A SUBSTITUTE TO SB 180 PASSED THE SENATE THAT INCLUDES 2ND DUI OFFENDERS, AGE 18 – 21, TO APPLY FOR A LIMITED DRIVING PERMIT. IN ADDITION, OFFENDERS AGES 18 – 21 WHO HAVE HAD THEIR LICENSE SUSPENDED DUE TO DRIVING VIOLATIONS ACCUMULATION TO FOUR OR MORE POINTS MAY APPLY FOR A LIMITED DRIVING PERMIT. THE SUBSTITUTE TO SB 180 ALSO INCREASES THE DUI ALCOHOL OR DRUG USE RISK REDUCTION PROGRAM FEE BY \$7.

IX. SB 395 - Courts; create mental health court divisions; provide for assignment of cases; planning groups and work plans

SUMMARY: SB 395 CREATES ENABLING LEGISLATION FOR MENTAL HEALTH COURTS. SB 395 PROVIDES FOR THE JUDICIAL COUNCIL OF GEORGIA TO CREATE STANDARDS FOR MENTAL HEALTH COURTS.

Re Judicial Branch Legislative Team Meeting Recap

Tuesday, August 10, 2010
10:00 a.m.

Members present:

Kirsten Wallace, CJCC

Sandy Lee, CSCJ

Tia Milton, Supreme Court

Mike Cuccaro, AOC

Bob Bray, CSCJ (State)

Sharon Reiss, CMCJ

Cynthia Clanton, AOC

Tracy Powell, AOC

Jill Radwin, AOC/Child Support Comm'n

Byron Branch, AOC

Christopher Causey, AOC

Charles C. Olson, Prosecuting Attys'
Council

Maggie Beck-Coon, Georgia Comm'n on
Family Violence

Holly Sparrow, Court of Appeals of Georgia

Elaine Johnson, AOC/Child Support
Comm'n

In the August 10 meeting, the legislative team discussed various ways to make the weekly meetings during the legislative session more effective. Below are changes that were suggested at the meeting.

1. Create a process in which the class of courts or agency most impacted by proposed legislation drafts the initial summary/impact of the legislation that will be published on the legislative website maintained by the AOC. The effect is intended to be two-fold: (1) improve the value of the summary, and (2) allows the most interested organization to initiate the development of a response.
2. Establish a protocol to respond more quickly to emerging or controversial legislation; this may include more frequent scheduled meetings for the Judicial Council Policy Committee during the legislative session.
3. Add representatives from all judicial branch groups (e.g. Council Directors) to weekly and daily legislative update e-mail distribution lists.
4. Invite other judicial branch entities to send a representative to the weekly meeting (JQC, Bar Admissions, DCAs, GCCA, etc.)
5. Consideration by the AOC to produce a weekly (or bi-weekly) spreadsheet tracking the status of bills of interest to the judicial branch, much like a more targeted version of the legislature's own tracking sheets (Maggie's suggestion).
6. Indicate group positions (when there is one) on bills in the weekly legislative update and on the legislative website maintained by the AOC. For instance, two councils may have a different position on a bill and could both be published unless a Judicial Council policy decision settled on a single position.
7. Look at reviewing the Policy Committee composition given the addition of a municipal court judge to the Judicial Council.

Judicial Council Policy for Judgeship and Circuit Boundary Studies Initiation

Recommendations to the Governor and the General Assembly for judicial personnel allocations for the superior courts shall be made annually prior to the beginning of the regular session of the General Assembly. Studies by the Administrative Office of the Courts of the need for judgeships or of the need for changes in circuit boundaries may be authorized by the Judicial Council upon the request of the governor, members of the General Assembly, or by a judge of the county or counties affected. Such requests shall be submitted in writing by June 1, prior to the session of the General Assembly during which the judgeship or change in circuit boundaries is sought. Any request received after June 1 shall not be considered until the following year. Any judge who intends to make a request for a study must notify the Judicial Council of any special circumstances or data of the courts involved in the request by June 1 so that these special circumstances may be investigated during the studies conducted by the Administrative Office of the Courts (AOC). (12/7/2005, 6/11/2010)

Purpose

The Judicial Council seeks to achieve a balanced and equitable distribution of case load among the judges of the state to promote speedy and just dispositions of citizens' cases. The Judicial Council recognizes that the addition of a judgeship is a matter of great gravity and substantial expense to the counties and the state and should be approached through careful inquiry and deliberate study before action is taken. (10/27/1981)

Policy Statements

The Judicial Council will recommend the creation of additional judgeships or changes in circuit boundaries based only upon needs demonstrated through comparative "objective" studies. The Judicial Council will not recommend the addition of a judgeship not requested by the circuit under study unless there is clear and convincing evidence that an additional judgeship is needed. (10/27/1981)

As a matter of policy, the Judicial Council recommends that no new part-time judgeship be created. Because of the advantages of multi-judge circuits, the Judicial Council generally will not recommend the creation of additional circuits. (10/27/1981)

Judgeships

1. Part-time judgeships

As a general rule, part-time judgeships are not an effective method of handling judicial workload. The disadvantages of part-time judgeships are many; a few specific ones are:

a. The cost of training a part-time judge is the same as that of training a full-time judge, but the benefits to the state or local government of training a part-time judge are only a fraction of those realized by training a full-time judge, since a part-time judge will hear only a fraction of the cases heard by a full-time judge receiving the same training. Additionally, part-time judges are generally not paid for the time they spend in continuing education. This creates a financial disincentive for part-time judges to attend continuing education, whom might ordinarily spend time practicing law or conducting law or conducting other business. (10/27/1981)

b. Conflicts of interest often arise in professional relationships for part-time judges. It is often difficult for other attorneys to litigate against an attorney and have to appear before the same attorney, sitting as judge, the next day. Additionally, cases in which part-time judges are disqualified usually arise in their own court, thus eliminating a large potential portion of their law practice. (10/27/1981)

2. Promotion of Multi-Judge Circuits

Multi-judge courts are more effective organizations for administrative purposes. Some specific advantages of multi-judge courts are:

a. Accommodation of judicial absences. Multi-judge circuits allow better management in the absence of a judge from the circuit due to illness, disqualification, vacation, and the demands of other responsibilities such as continuing legal education. (10/27/1981)

b. More efficient use of jurors. Better use of jury resources can be effected when two judges hold court simultaneously in the same county. One judge in a multi-judge circuit may use the other judge's excess jurors for a trial of a second case rather than excusing them at an added expense to the county. Present courtroom space in most counties may not permit two trials simultaneously; but such a practice, if implemented, may justify the building of a second smaller courtroom by the county affected, or the making of other arrangements. (10/27/1981) .(6-11-2010)

c. Accommodation of problems of impartiality or disqualification. A larger circuit with additional judges may permit hometown cases where acquaintances are involved to be considered by an out-of-town judge without the appearance that the local judge is avoiding responsibility. (10/27/1981)

d. Improves court administration. Multi-judge circuits tend to promote impartiality and uniformity of administrative practices and procedures by making court administration something more than the extension of a single judge's personality. Multi-judge circuits also permit economies in the deployment of auxiliary court personnel. (10/27/1981)

e. Expedites handling of cases. Probably most important of all, under the arithmetic of calendar management, the judges of a multi-judge court can handle substantially more cases than an equal number of judges operating in separate courts. Besides the advantage of improved efficiency to be realized through the use of multi-judge circuits, there are also a number of other reasons as to why this approach should be taken. Under the existing law, a new judgeship may be created without the addition of another elected district attorney, although an assistant district attorney is added. However, when the circuit is divided and a new circuit thereby created, another elected district attorney is needed. A second reason supporting the use of multi-judge circuits is that upon division of an existing circuit into two new ones, one new circuit may grow disproportionately to the other, or population or other factors suggesting division may diminish, thus negating the factors which initially led to the division and compounding future problems of adjustment. (10/27/1981)

Methodology

1. Criteria for Superior Court Judgeship Requests

In establishing the need for additional superior court judgeships, the Judicial Council will consider weighted caseloads per judge for each circuit. If the per judge weighted caseload meets the threshold standards established by the Council for consideration of an additional judgeship, additional criteria will be considered. The threshold standard is a value set by the Judicial Council in open session. (06/08/2005) No study will be conducted when a requesting circuit does not meet the threshold criteria established by the Judicial Council. When the AOC determines that a requesting circuit does not meet the minimum criteria, the chief judge of the circuit will be so notified along with information as to how to appeal to the Council's Judicial Workload Assessment Committee and the time frame for such appeal. (6/11/2010)

Additional criteria considered may include, but are not limited to, the following and are not necessarily in the order of importance as listed below:

- a. Filings per judge
- b. Growth rate of filings per judge
- c. Open cases per judge
- d. Case backlog per judge
- e. Population served per judge
- f. Population growth
- g. Number and types of supporting courts
- h. Availability and use of senior judge assistance
- i. Number of resident attorneys per judge
- j. Responses to letters to legislators, county commissioners, presidents of local bar associations, district attorneys, and clerks of superior court asking for their input. (8/25/2000)

2. Criteria for Studying Requests to Alter Circuit Boundaries

The criteria used by the Judicial Council in reviewing proposals to alter circuit boundaries will include the following criteria:

a. Weighted Caseload per Judge - After the proposed change in circuit boundaries, caseload should be more evenly distributed. In addition, a proposed circuit's workload should not vary significantly from the statewide average weighted caseload per judge. (10/27/1981)

b. Caseload Growth Trends - Caseload growth trends should be examined so that an imbalance in growth rates when a circuit boundary is changed will not necessitate a reallocation of resources or alteration of circuit boundaries again in the near future. Such continual shifts in circuit boundaries or resources could be very unsettling and, thereby, significantly reduce judicial efficiency. If a reliable caseload projection method is available, this technique will be used to determine future case filings; if one is not available, caseload growth rates, increases in the number of attorneys per capita and population projections will be analyzed. The population per judge should be evenly divided among the geographical areas affected by the proposed circuit boundary change if a recommendation is to be made. Secondly, population projections should be examined to insure that disparate population growth rates will not create a great imbalance in the population to be served by each judge within a short period of time from the date of the alteration of the circuit boundaries. Lastly, the population per judge of the altered circuit should not be substantially different from the statewide average population per judge. (10/27/1981) .(6/11/2010)

c. Changes in Judicial Travel Time - Travel time diminish total judicial time available for case processing; therefore, travel time should not be significantly increased for judges in circuits affected by a change in circuit boundaries before such a change should be recommended. Terms of court in and the number of times each county was visited on case-related business by the judges should be determined and these trips should be translated into travel time by using official distances between courthouses and road conditions determined by the Georgia Department of Public Safety. (10/27/1981)

d. Projected Changes in Cost to State and Local Government - Cost savings or additional expenditures required of local and state governing authorities should be determined. Changes in cost for personnel, facilities, and travel should be considered. A recommendation for change should not be made unless additional expenditures required are minimal or balanced by equivalent cost savings. (10/27/1981)

e. Characteristics of populace in areas of circuits sought to be separated, such as rural or urban. (12/11/1981)

f. Operational policies of circuit as presently constituted as might involve inattention to smaller counties in circuit. (12/11/1981)

g. Whether creation of new circuit would obviate necessity of one or two additional judges in parent circuit. (12/11/1981)

h. Travel and other expenses incident to serving smaller counties. (12/11/1981)

i. Alleviation of case assignment problems in larger counties of circuit. (12/11/1981)

j. Population growth of counties of circuit which would reflect need for new circuit. (12/11/1981)

k. Comparison population per judge in new circuit with standards approved by Judicial Council in recent years. (12/11/1981)

l. The Judicial Council will presume that a multi-judge circuit is preferred over a single-judge circuit. (12/11/1981)

m. If a county is to be split off from the circuit of which it is a part, the possibilities of adding that county to another circuit should be exhausted prior to the council's recommending a single- judge circuit. (12/11/1981)

Judicial Council Deliberations

1. Testimony

Judges, legislators, and others deemed appropriate by the chair shall be invited to make written remarks or present data regarding the need for judgeships or to alter circuit boundaries. Any special circumstance or data of a circuit for which a request is to be made must be brought to the attention of the Judicial Council by a judge of the requesting circuit by the date set by the Chair of the Judicial Council of the year prior to the year of the legislative session during which the judgeship or change in circuit boundaries will be considered. Any request submitted after the stated deadline will not be considered until the following year. The written testimony of the judges, legislators and other persons shall be reviewed and considered by the Judicial Council in their deliberations regarding judicial resources. Oral arguments will not be made. (6/6/1984) (6/6/2006) (10/24/2008) (6/11/2010)

2. Final Deliberations

After all written presentations, the Judicial Council and key (AOC) staff, in open session, will discuss the merits of each request. (6/6/1984) (6/11/2010)

3. Staff Presentations

The AOC will present data evaluating the need to add judgeships or to alter circuit boundaries based on council approved criteria and will make staff recommendations. (10/27/1981)

4. Vote

After final deliberations, the Council will, in open session, approve or disapprove recommended changes in judicial resource allocations. Votes on such motions shall be by secret written ballot. A two-thirds vote of the council membership present at the session will be required to override an unfavorable recommendation based on the criteria contained in these by-laws (policy). After determining those circuits in which the council recommends an additional judgeship, the council will rank the recommendations based on need. Any ranking ballot that does not rank each and every judgeship recommendation presented on the secret ballot shall not be counted. (12/07/2005) (6/11/2010)

5. Length of Recommendations

Upon a recommendation of an additional judgeship or to alter circuit boundaries for a judicial circuit by the council, the recommendation shall remain approved by the council for a period of three years, unless the caseload of that circuit decreases ten percent or more. (Rev. 12/13/1996) (6/11/2010)

6. Disqualifications

Any council member in a circuit or county affected by a council recommendation shall be eligible to vote by secret ballot on motions affecting that circuit, but shall not be present or participate in the council's final deliberations regarding his or her circuit. (Rev. 6/6/1984)

Dissemination of Recommendations

1. Study of the Need for Additional Superior Court Judgeships

The AOC shall prepare a report, including data required by the council for their deliberations and council policy statement, on the Judicial Council's recommendations as to the need for additional superior court judgeships. Such report shall be distributed to the governor, members of the judiciary and special judiciary committees of the Senate and House, all superior court judges and other interested parties approved by the director of the AOC. Additionally, the AOC shall prepare and distribute a press release summarizing the council's recommendations. (10/27/1981)(6/11/2010)

2. Special Studies of Judicial Resources. Including Alteration of Circuit Boundaries

a. The AOC shall prepare reports on the Judicial Council's recommendations for special studies, including reports on requests to alter circuit boundaries and for judgeships of courts other than the superior court and shall distribute them to the requestor, and, in the discretion of the director, to other interested parties. (10/27/1981)

b. In preparing special reports, written remarks of judges, legislators, and others deemed appropriate by the chairperson shall be solicited by the AOC and considered by the Judicial Council. (12/11/1986) (6/11/2010)

FY 2011 Amended Judicial Council Budget Request

Budget Unit - Attached Agencies	FY 11 Request	AFY11 Change	FY 11 Received	FY 11 Amended Request	FY 11 Amended Balance
Georgia Resource Center	580,000	(14,500)	565,500	36,083	601,583
Office of Dispute Resolution	73,204	(8,191)	65,013	0	65,013
Institute of Continuing Judicial Education	1,034,841	(527,769)	507,072	0	507,072
Judicial Qualifications Commission	276,749	(25,000)	251,749	106,734	358,483
Total	1,964,794	(575,460)	1,389,334	142,817	1,532,151

Judicial Council

Administrative Office of the Courts	6,807,542	(806,105)	6,001,437	82,233	6,083,670
Council of State Court Judges*	1,290,850	(19,484)	1,271,366	0	1,271,366
Judicial Council Standing Committee on Drug Courts	2,004,571	(94,693)	1,909,878	0	1,909,878
Child Support Guidelines Commission	102,814	2,761	105,575	0	105,575
County and Municipal Probation Advisory Council	273,946	(21,721)	252,225	0	252,225
Legal Services to Victims of Domestic Violence	1,986,483	(99,324)	1,887,159	99,324	1,986,483
Committee on Access and Fairness	76,190	(76,190)	0	0	0
Council of Probate Court Judges	72,689	(5,815)	66,874	0	66,874
Council of Municipal Court Judges	17,681	0	17,681	0	17,681
Council of Magistrate Court Judges	189,167	(15,048)	174,119	0	174,119
Georgia Council of Court Administrators	4,431	0	4,431	0	4,431
Georgia Law School Consortium	0	0	0	0	0
Georgia Courts Automation Commission	585,652	(585,652)	0	0	0
Georgia Commission on Family Violence		368,771	368,771		368,771
Total Judicial Council	13,412,016	(1,352,501)	12,059,515	181,557	12,241,072
<i>* employer contribution transfer</i>					
Total Judicial Council Section	15,376,810	(1,927,961)	13,448,849	324,374	13,773,223

FY 2011 Amended Enhancement Requests

Program	FY11 Base	State Funds Requested	Details of Request	FY 11 Balance	Budget Committee Recommendation
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Budget Unit - Attached Agencies

Georgia Resource Center	\$565,500	\$36,083	Increase to make up for lost grant revenues, maintain minimum staffing levels	\$601,583	Yes, unanimous vote
Judicial Qualifications Commission	\$251,749	\$106,734	Increase for legal bills and investigations, past due	\$358,483	Yes, unanimous vote

Judicial Council

Administrative Office of the Courts	\$6,076,980	\$24,916	Increase in PeopleSoft billing	\$6,101,896	Yes, unanimous vote
Administrative Office of the Courts	\$6,076,980	\$50,627	Increase for rent, copier	\$6,127,607	Yes, unanimous vote
Administrative Office of the Courts	\$6,076,980	\$6,691	Interpreter's Consortium billing increase	\$6,083,671	Yes, unanimous vote
				\$6,159,214	
Legal Services for Victims of Domestic Violence	\$1,887,159	\$99,324	Increase grant funding	\$1,986,483	Yes, unanimous vote

**JUDICIAL BRANCH OF GEORGIA
FY 2011 AMENDED REQUEST FORM
FY 2012 ENHANCEMENT REQUEST FORM**

SECTION A. GENERAL INFORMATION

BUDGET UNIT: Judicial Council

Program: Georgia Appellate Practice and Educational Resource Center, Inc.

FISCAL YEAR: [X] Amended FY 2011 or [] FY 2012 Enhancement

Enter the net change in state funds requested for the program: \$36,083.00

Describe the impact the request has on any other program fund sources (federal and/or other funds).

The Georgia Resource Center receives no outright federal funding. As discussed below, the unavailability of supplemental alternative funding highlights the need of additional State funding.

SECTION B.

PART 1: EXPLANATION OF REQUEST

1. Proposal:

This request for Amended FY 11 funding is necessitated by the uncertainty of funding from the Georgia Bar Foundation. The Georgia Resource Center's budget for FY 2011 totals \$1,216,000. The State Assembly has appropriated \$565,500. We have budgeted \$312,500 in federal billing revenue¹ and \$13,000 in charitable donations. The FY 2010 request to the Georgia Bar Foundation is \$325,000. Due to the diminishment of IOLTA funds, the outlook for fulfillment of the Center's request is dismal. However, should the Bar Foundation be able to grant the Georgia Resource Center's request in whole or in part, this instant request for Amended funds would be reduced accordingly. The Foundation will notify the Center of the status of its FY 2011 request in late August, 2010.

In FY 2009, the Georgia Resource Center's funding was cut by over twenty five percent from \$800,000 to \$580,000 despite the tremendous increase in the pace of litigation. Because the Center's State funding had been frozen from 2002 to 2008, it was impossible to keep pace

¹ Federal court compensation is received in periodic amounts that vary substantially according to the number of federal habeas cases which are approaching resolution at any given time, and the time it takes the courts to fulfill payment vouchers. This projection of \$312,500 is uncertain and optimistic.

JUDICIAL BRANCH OF GEORGIA
FY 2011 AMENDED REQUEST FORM
FY 2012 ENHANCEMENT REQUEST FORM

with inflationary costs on any level. Despite years of service, professional staff continued to be grossly underpaid in comparison to their counterparts in other public service offices as well as the Attorney General's office. As a result of stagnant state funding and significantly increased litigation, the Georgia Resource Center sought and was awarded grants in FY 2006–2009 from the Georgia Bar Foundation to supplement state funding. This funding allowed the Center to operate at full capacity in FY 2008 for the first time since 2002. The State then cut its grant to the Center by 27.5 percent, to \$580,000 for FY 2009².

Although the State grant decrease of \$220,000 was offset by an increased FY 2009 grant from the Georgia Bar Foundation, the Foundation's revenues were subsequently devastated by the economic downturn. Their overall grant to the Center was reduced for FY 2010 by roughly 70 percent to \$249,700. The State Bar helped to offset the reduced Bar Foundation FY 2010 grant by providing a donation of \$100,000.³ The Center's budgets for FY 2010 and 2011 are also supported by monies accumulated through billing the federal courts for work performed in federal habeas cases.

This request is intended to compensate for the potential loss of Georgia Bar Foundation funding and to allow the Center to continue to maintain the minimum staff necessary to provide adequate services to its clients and take on additional cases that will enter the system in FY 2011.

2. Geographic Impact: Where does the request impact the state?

☒ [X] Statewide or list counties below:

3. Current Status: What is the budget unit currently doing to address this issue? Will those activities continue if this request is approved?

Since 2009, the Center has eliminated an investigator position; reduced a second investigator position from full-time to part-time; eliminated a part-time administrative assistant position; replaced our Executive Director at a drastically reduced salary; and voluntarily cut back on core expenses associated with investigation, expert assistance and litigation. While we continually strive for ways to reduce operating costs, the only alternative is further cuts in staff which will directly impact our ability to fulfill our mandate of providing adequate legal services to indigent death sentenced clients.

² This amount was subsequently reduced further to its current level of \$565,500 for FY 2011.

³ The State Bar grant of \$100,000, intended as a one-time donation to supplement decreased Bar Foundation funds for FY 2010, may be unavailable in FY 2011.

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- 4. Supporting Data:** Provide any supporting data, evaluations, and/or research for this request. Include any information you have on similar successful programs or evaluations in other jurisdictions that are relevant to this request.

Currently there are forty-two (42) cases in state habeas corpus proceedings. The Center directly represents as sole counsel of record nineteen (19) of those cases and is co-counsel of record or consulting with volunteer counsel on the remaining twenty three (23) cases. The rate of new cases entering habeas corpus proceedings in FY 2011 will continue to add to the already overwhelming caseload. A recent performance audit requested by the Senate Appropriations Committee and conducted by the Department of Audits found that Center attorneys handled more cases and expended less money per case than similar organizations in other states. The Georgia Resource Center is the most cost effective and efficient model of ensuring that death sentenced inmates are represented in state habeas proceedings and in assuring that only those deserving of death are actually executed.

- 5. Measures:** What measures are or will be used to evaluate the impact of this change? If an enhancement, what is the projected return on investment?

The principal measures will be the Center's caseload, the rate of direct representation, and the pace at which capital habeas cases proceed through the system to final resolution.

- 6. Stakeholders/Constituents/Constituencies:** Describe the constituent and stakeholder groups affected by this change and whether they are likely to support or oppose this request (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).

In 1988, the State Bar and the state and federal courts worked together to address the problem of the lack of counsel for death-sentenced inmates in habeas corpus proceedings. The solution to this problem was the establishment of the Georgia Appellate Practice and Educational Resource Center, Inc. The Center is an integral part of Georgia's death penalty system, is the most efficient and cost effective means to move the cases to final adjudication, and is a necessary safeguard to wrongful execution. The State Bar of Georgia and the Administrative Office of the Courts have supported the Center's request for increased funding in the past and will likely support this request.

- 7. Legislation or Rule Change (a):** Is legislation or a Rule change required to be passed or changed if this request is implemented? **No.** If so, please explain.
- 8. Legislation or Rule Change (b):** Is this request a result of a legislation or rule change? **No.** If so, please explain.
- 9. Alternatives:** Explain what other alternatives were considered and why they were not viable.

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Without the requested funds, the Georgia Resource Center would be forced to drastically cut salaries and/or lay off professional staff. We now maintain the minimum staff and litigation resources necessary to provide current clients with adequate representation and to handle new clients entering the state habeas system in FY 2011. Depleting it further would be devastating to the Center.

PART 2: BUDGET

- 10. Requested and Projected Resources:** For enhancements and certain base adjustments, what additional resources are you requesting? What are your out-year projections?

The Center is requesting an additional grant of \$36,083 for AFY 2011.

- 11. Methodology/Assumptions:** Provide the methodology and assumptions behind the requested amount and out-year projections. How did you arrive at the amounts? What time period does the request cover (i.e., the number of months)?

The requested grant increase of \$36,083 for the twelve month period of FY 2011 (July 1, 2010 to June 30, 2011) represents the amount of the FY 2011 grant request from the Georgia Bar Foundation that was not fulfilled.

This amended funding would enable the Center to compensate for the loss of Bar Foundation funding.

- 12. Federal and Other Funds:** Describe the impact on federal and/or other funds related to this request (amount, policy etc).

The Resource Center receives no outright federal funding. However, the Center receives compensation for its work on federal habeas cases at the discretion of the courts. Revenues from work in the federal courts fund only litigation in federal habeas courts involving Georgia state prisoners under death sentence, and are included in the Center's FY 2011 budget.

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Budget Categories	FY 11 Amended Request	FY 12 Enhancement Request
Personnel Services:	27,500.00	-
Operating Costs:		
Postage	100.00	-
Motor Vehicle Expenses	-	-
Printing, Publications, Media	150.00	-
Supplies and Materials	180.00	-
Repairs and Maintenance	113.00	-
Equipment < \$5,000	-	-
Water/Sewage	-	-
Energy	170.00	-
Rents Other Than Real Estate	-	-
Insurance and Bonding	200.00	-
Freight	-	-
Other Operating	120.00	-
Travel – Employee	2,150.00	-
Real Estate Rentals	2,000.00	-
Professional Services (Per Diem)	2,900.00	-
Professional Services (Expenses)	-	-
Other Contractual Services (Non State)	-	-
Contracts – State Orgs	-	-
IT Expenses	200.00	-
Voice/Data Communications	300.00	-
Grants		-
Indirect Costs		-
Transfers		-
Total Operating Budget	8,583.00	-
TOTAL OVERALL BUDGET	36,083.00	-
State Funds	36,083	
Other Budgeted Funds		

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PART 3: OTHER INFORMATION

13. Discuss any other relevant factors that should be considered.

In 1988, the State Bar and the state and federal courts worked together to address the problem of the lack of counsel for death-sentenced inmates in habeas corpus proceedings. The solution to this problem was the establishment of the Resource Center. For the past twenty-two (22) years, the Center's professional staff⁴ has mastered this unique and complex area of law, developed expertise in crime scene investigation, mental health issues and mitigation presentation, and assembled a library of resources (motions, briefs, and case tracking data).

In the late 1990's capital cases began to move through the courts at a far quicker pace.⁵ This has resulted in more intensive and time sensitive caseloads for the legal team. Although the Resource Center could ethically and fiscally decline to take any further cases because of a caseload conflict, the Center has continued to shoulder the responsibility of representing death sentenced inmates in the absence of any right to counsel. Since the *Gibson*⁶ decision, the Resource Center staff has been confronted with a Hobson's choice – continue to take additional cases despite the lack of resources to

⁴ Each staff member has significant experience in capital defense. The Executive Director has over fourteen (14) years of capital defense experience. The staff attorneys have a cumulative total of over thirty (30) years of capital defense experience between them: nine (9), eight (8), six (6), six (6), three (3), and three (3) years experience, respectively. The investigative staff is among the most experienced in the country with over seventy five (75) years of capital defense investigative experience. The experience levels of the individual investigators are twenty-five (25), twenty-two (22), fifteen (15), fourteen (14), and six (6) years, respectively. One of the investigators is a Master of Social Work (MSW) and another is an attorney. The Office Manager has been with the Center since shortly after its inception in 1988.

⁵ The Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA) impacted the work of the Center in two important ways. First, it imposed new strict deadlines, reaching back from state direct appeal through federal habeas, which appreciably expedited the pace of litigation. Secondly, it accorded more deference to state court decisions, requiring all constitutional legal claims to be raised and fully developed during state habeas proceedings. Thus, the Act has resulted in the Center being required to perform more in-depth investigation and litigation of its cases under much tighter time constraints.

⁶ *Gibson v. Turpin*, 270 Ga. 855, 513 S.E.2d 186 (1999). By the slimmest of margins, the Supreme Court of Georgia held that death sentenced inmates had no constitutional right to counsel in state habeas corpus proceedings. The court did note however that a statute providing for state-funded counsel might be a good policy but that absent legislative enactment of such a provision, state-funded counsel was not constitutionally compelled.

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adequately litigate the cases or decline the cases and stand by while death sentenced inmates are forced to proceed *pro se*.⁷ The Resource Center has ethically felt compelled to take on the burden of ensuring representation for all Georgia death sentenced inmates.

The Resource Center staff is currently comprised of the Executive Director, six (6) staff attorneys, two (2) full-time investigators, three (3) part-time investigators, and an Office Manager. The Resource Center's office space is spartan and our cases are litigated on a shoe-string budget. The largest portion of our budget is allocated to staff salaries and benefits. Nevertheless, the staff is significantly underpaid and overworked. Staff salaries are considerably less than comparable public interest salaries in the Atlanta area, including the staff at the Attorney General's Office.⁸ Moreover, the staff of the Resource Center works incredibly long hours under very stressful circumstances related to defending the condemned.

The Resource Center is an integral part of Georgia's death penalty system, is the most efficient and cost effective means to moving the cases to final adjudication, and is a necessary safeguard to wrongful execution. In short, the effectiveness, efficiency and credibility of Georgia's death penalty system depends on an adequately staffed and fully funded Resource Center. The Resource Center respectfully requests an FY 2011 amendment adding \$325,000 to the Center's FY 2011 grant, for a total amended grant of \$890,500. The amended grant will compensate for the loss in Georgia Bar Foundation

⁷ Habeas courts have frequently responded to the Resource Center's pleas for additional time to work up a new case with the suggestion that the Resource Center should withdraw because of a caseload conflict and allow the death sentenced inmate to proceed *pro se*. See, *Palmer v. Head*, Case No. 2000-V-474, Superior Court of Butts County, Transcript of January 9, 2001 hearing at 13 ("If you want to get out, though, go ahead and get out, and let [Mr. Palmer] be the one who confers with [Assistant Attorney General] if you are going to"). Mr. Palmer is mentally retarded. The Center took on the representation of Mr. Palmer. The habeas court granted Mr. Palmer a new trial based upon State misconduct and ineffective assistance of counsel and the Supreme Court upheld the grant of relief. *Schofield v. Palmer*, 621 S.E.2d 726 (Ga. 2005).

⁸ The figures below show the comparison of Center staff attorney salaries with those of comparable public interest offices in the Atlanta area (based upon five or more years of experience):

Resource Center	\$49,500 - 65,000
Dekalb County Public Defender	\$64,000 - 100,000+
Georgia Capital Defender	\$65,000 - 100,000+
Office of the Attorney General	\$68,000 - 100,000+

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funding and allow the Center to continue to handle the increased caseload and the increased rate of litigation. Should the Bar Foundation provide funding for FY 2011, this amended grant request will be reduced accordingly.

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FY 2012 ENHANCEMENT REQUEST FORM**

SECTION A. GENERAL INFORMATION

BUDGET UNIT: Judicial Council

Program: Judicial Qualifications Commission

FISCAL YEAR: [X] Amended FY 2011 or [X] FY 2012 Enhancement

Enter the net change in state funds requested for the program: \$106,734 in AFY 11 and \$50,000 in FY 12.

Describe the impact the request has on any other program fund sources (federal and/or other funds).

There are no other funding sources for the JQC.

SECTION B.

PART 1: EXPLANATION OF REQUEST

1. Proposal:

2. Geographic Impact: Where does the request impact the state?

[X] Statewide or list counties below:

3. Current Status: What is the budget unit currently doing to address this issue? Will those activities continue if this request is approved?

This is a request for funds to pay for an outstanding debt from a formal hearing or trial of a judge and for funds to pay for a present and ongoing prosecution of a judge.

4. Supporting Data: Provide any supporting data, evaluations, and/or research for this request. Include any information you have on similar successful programs or evaluations in other jurisdictions that are relevant to this request.

N/A

5. Measures: What measures are or will be used to evaluate the impact of this change? If an enhancement, what is the projected return on investment?

N/A

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- 6. Stakeholders/Constituents/Constituencies:** Describe the constituent and stakeholder groups affected by this change and whether they are likely to support or oppose this request (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).

N/A

- 7. Legislation or Rule Change (a):** Is legislation or a Rule change required to be passed or changed if this request is implemented? If so, please explain.

N/A

- 8. Legislation or Rule Change (b):** Is this request a result of a legislation or rule change? If so, please explain.

N/A

- 9. Alternatives:** Explain what other alternatives were considered and why they were not viable.

The Legislature is the only source of funding for the JQC.

PART 2: BUDGET

- 10. Requested and Projected Resources:** For enhancements and certain base adjustments, what additional resources are you requesting? What are your out-year projections?

The Commission is requesting additional funds to pay for the costs associated with the trial of a judge that concluded with the removal of that judge from the bench and for monies to cover the upcoming costs associated with the formal charges filed against another judge.

- 11. Methodology/Assumptions:** Provide the methodology and assumptions behind the requested amount and out-year projections. How did you arrive at the amounts? What time period does the request cover (i.e., the number of months)?

- 12. Federal and Other Funds:** Describe the impact on federal and/or other funds related to this request (amount, policy etc).

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Budget Categories	FY 11 Amended Request	FY 12 Enhancement Request
Personnel Services:		
Operating Costs:		
Postage		
Motor Vehicle Expenses		
Printing, Publications, Media		
Supplies and Materials		
Repairs and Maintenance		
Equipment < \$5,000		
Water/Sewage		
Energy		
Rents Other Than Real Estate		
Insurance and Bonding		
Freight		
Other Operating		
Travel – Employee		
Real Estate Rentals		
Professional Services (Per Diem)	\$106,734	\$50,000
Professional Services (Expenses)		
Other Contractual Services (Non State)		
Contracts – State Orgs		
IT Expenses		
Voice/Data Communications		
Grants		
Indirect Costs		
Transfers		
Total Operating Budget	\$106,734	\$50,000
TOTAL OVERALL BUDGET	\$106,734	\$50,000
State Funds	\$106,734	\$50,000
Other Budgeted Funds		

**JUDICIAL BRANCH OF GEORGIA
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FY 2012 ENHANCEMENT REQUEST FORM**

SECTION A. GENERAL INFORMATION

BUDGET UNIT: Judicial Council

Program: AOC – Financial Administration Division

FISCAL YEAR: ☒ Amended FY 2011 or ☒ FY 2012 Enhancement

Enter the net change in state funds requested for the program: \$24,916.00 in each year.

Describe the impact the request has on any other program fund sources (federal and/or other funds).

SECTION B.

PART 1: EXPLANATION OF REQUEST

1. Proposal:

Request additional funds to cover State Accounting Office billing increase for the use of PeopleSoft.

2. Geographic Impact: Where does the request impact the state?

☒ Statewide or list counties below:

3. Current Status: What is the budget unit currently doing to address this issue? Will those activities continue if this request is approved?

4. Supporting Data: Provide any supporting data, evaluations, and/or research for this request. Include any information you have on similar successful programs or evaluations in other jurisdictions that are relevant to this request.

5. Measures: What measures are or will be used to evaluate the impact of this change? If an enhancement, what is the projected return on investment?

6. Stakeholders/Constituents/Constituencies: Describe the constituent and stakeholder groups affected by this change and whether they are likely to support or oppose this request (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).

Legislation or Rule Change (a): Is legislation or a Rule change required to be passed or changed if this request is implemented? If so, please explain.

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- 7. Legislation or Rule Change (b):** Is this request a result of a legislation or rule change? If so, please explain.
- 8. Alternatives:** Explain what other alternatives were considered and why they were not viable.

PART 2: BUDGET

- 9. Requested and Projected Resources:** For enhancements and certain base adjustments, what additional resources are you requesting? What are your out-year projections?

We are requesting an enhancement of \$24,916.00. The State Accounting Office sets our billing rate each year so it is difficult to anticipate what the out-year cost will be. It is safe to assume that it will be at the very least as much as it is in FY 2011.

- 10. Methodology/Assumptions:** Provide the methodology and assumptions behind the requested amount and out-year projections. How did you arrive at the amounts? What time period does the request cover (i.e., the number of months)?

We are sent a bill with our assessment, no methodology necessary.

- 11. Federal and Other Funds:** Describe the impact on federal and/or other funds related to this request (amount, policy etc).

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Budget Categories	FY 11 Amended Request	FY 12 Enhancement Request
Personnel Services:		
Operating Costs:		
Postage		
Motor Vehicle Expenses		
Printing, Publications, Media		
Supplies and Materials		
Repairs and Maintenance		
Equipment < \$5,000		
Water/Sewage		
Energy		
Rents Other Than Real Estate		
Insurance and Bonding		
Freight		
Other Operating		
Travel – Employee		
Real Estate Rentals		
Professional Services (Per Diem)		
Professional Services (Expenses)		
Other Contractual Services (Non State)		
Contracts – State Orgs	\$24,916	\$24,916
IT Expenses		
Voice/Data Communications		
Grants		
Indirect Costs		
Transfers		
Total Operating Budget	\$24,916	\$24,916
TOTAL OVERALL BUDGET	\$24,916	\$24,916
State Funds	\$24,916	\$24,916
Other Budgeted Funds		

PART 3: OTHER INFORMATION

12. Discuss any other relevant factors that should be considered.

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FY 2012 ENHANCEMENT REQUEST FORM**

SECTION A. GENERAL INFORMATION

BUDGET UNIT: Judicial Council

Program: AOC – Financial Administration Division

FISCAL YEAR: ☒ Amended FY 2011 or ☒ FY 2012 Enhancement

Enter the net change in state funds requested for the program: \$50,627.00 in each year.

Describe the impact the request has on any other program fund sources (federal and/or other funds).

SECTION B.

PART 1: EXPLANATION OF REQUEST

1. Proposal:

Request additional funds to cover rental of fourth floor office space and copy machine.

2. Geographic Impact: Where does the request impact the state?

☒ Statewide or list counties below:

3. Current Status: What is the budget unit currently doing to address this issue? Will those activities continue if this request is approved?

4. Supporting Data: Provide any supporting data, evaluations, and/or research for this request. Include any information you have on similar successful programs or evaluations in other jurisdictions that are relevant to this request.

5. Measures: What measures are or will be used to evaluate the impact of this change? If an enhancement, what is the projected return on investment?

6. Stakeholders/Constituents/Constituencies: Describe the constituent and stakeholder groups affected by this change and whether they are likely to support or oppose this request (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).

Legislation or Rule Change (a): Is legislation or a Rule change required to be passed or changed if this request is implemented? If so, please explain.

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- 7. Legislation or Rule Change (b):** Is this request a result of a legislation or rule change? If so, please explain.
- 8. Alternatives:** Explain what other alternatives were considered and why they were not viable.

PART 2: BUDGET

- 9. Requested and Projected Resources:** For enhancements and certain base adjustments, what additional resources are you requesting? What are your out-year projections?

We are requesting an enhancement of \$50,627.00 to cover rental costs associated with the Division's move to the fourth floor which was necessitated by the addition of a program to the AOC and space compliance issues.

- 10. Methodology/Assumptions:** Provide the methodology and assumptions behind the requested amount and out-year projections. How did you arrive at the amounts? What time period does the request cover (i.e., the number of months)?

We are sent a bill for rental of both items, no methodology necessary.

- 11. Federal and Other Funds:** Describe the impact on federal and/or other funds related to this request (amount, policy etc).

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Budget Categories	FY 11 Amended Request	FY 12 Enhancement Request
Personnel Services:		
Operating Costs:		
Postage		
Motor Vehicle Expenses		
Printing, Publications, Media		
Supplies and Materials		
Repairs and Maintenance		
Equipment < \$5,000		
Water/Sewage		
Energy		
Rents Other Than Real Estate	\$4,400	\$4,400
Insurance and Bonding		
Freight		
Other Operating		
Travel – Employee		
Real Estate Rentals	\$46,227	\$46,227
Professional Services (Per Diem)		
Professional Services (Expenses)		
Other Contractual Services (Non State)		
Contracts – State Orgs		
IT Expenses		
Voice/Data Communications		
Grants		
Indirect Costs		
Transfers		
Total Operating Budget	\$50,627	\$50,627
TOTAL OVERALL BUDGET	\$50,627	\$50,627
State Funds	\$50,627	\$50,627
Other Budgeted Funds		

PART 3: OTHER INFORMATION

12. Discuss any other relevant factors that should be considered.

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SECTION A. GENERAL INFORMATION

BUDGET UNIT: Judicial Council

Program: AOC - Commission on Interpreters (COI)

FISCAL YEAR: ☒ Amended FY 2011 or ☒ FY 2012 Enhancement

Enter the net change in state funds requested for the program: \$6,691.00 in each year

Describe the impact the request has on any other program fund sources (federal and/or other funds).

SECTION B.

PART 1: EXPLANATION OF REQUEST

- 1. Proposal:** The Consortium for Language Access in the Courts increased the Annual Supplemental Fee for current member states'. This fee increase imposes a base amount of \$5,000 and a multiplier of \$2.25 for every 1,000 limited English proficient (LEP) in the state.
- 2. Geographic Impact:** Where does the request impact the state?
☒ Statewide or list counties below:
- 3. Current Status:** What is the budget unit currently doing to address this issue? Will those activities continue if this request is approved?
- 4. Supporting Data:** Provide any supporting data, evaluations, and/or research for this request. Include any information you have on similar successful programs or evaluations in other jurisdictions that are relevant to this request. See attached documentation.
- 5. Measures:** What measures are or will be used to evaluate the impact of this change? If an enhancement, what is the projected return on investment? N/A

Stakeholders/Constituents/Constituencies: Describe the constituent and stakeholder groups affected by this change and whether they are likely to support or oppose this request (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities). The Commission on Interpreters is a 20 member board which is comprised of a Supreme Court justice, a judge from each jurisdiction, State Bar members', a member of the General Assembly, as well as lay members. The Commission on Interpreters and the Administrative Office of the Courts supports this request.

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Legislation or Rule Change (a): Is legislation or a Rule change required to be passed or changed if this request is implemented? No If so, please explain.

- 6. Legislation or Rule Change (b):** Is this request a result of a legislation or rule change? No If so, please explain. N/A
- 7. Alternatives:** Explain what other alternatives were considered and why they were not viable. The Commission on Interpreters conforms to the testing guidelines set forth by the Consortium for Language Access in the Courts to administer oral exams for linguistic interpreters. Membership ensures guidelines are consistent amongst member states', provides relevant testing materials, as well as online resources.

PART 2: BUDGET

- 8. Requested and Projected Resources:** For enhancements and certain base adjustments, what additional resources are you requesting? N/A What are your out-year projections? N/A
- 9. Methodology/Assumptions:** Provide the methodology and assumptions behind the requested amount and out-year projections. How did you arrive at the amounts? What time period does the request cover (i.e., the number of months)? The supplemental fee is assessed annually.
- 10. Federal and Other Funds:** Describe the impact on federal and/or other funds related to this request (amount, policy etc). N/A

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Budget Categories	FY 11 Amended Request	FY 12 Enhancement Request
Personnel Services:		
Operating Costs:		
Postage		
Motor Vehicle Expenses		
Printing, Publications, Media		
Supplies and Materials		
Repairs and Maintenance		
Equipment < \$5,000		
Water/Sewage		
Energy		
Rents Other Than Real Estate		
Insurance and Bonding		
Freight		
Other Operating		
Travel – Employee		
Real Estate Rentals		
Professional Services (Per Diem)		
Professional Services (Expenses)		
Other Contractual Services (Non State)	\$6,691	\$6,691
Contracts – State Orgs		
IT Expenses		
Voice/Data Communications		
Grants		
Indirect Costs		
Transfers		
Total Operating Budget	\$6,691	\$6,691
TOTAL OVERALL BUDGET	\$6,691	\$6,691
State Funds	\$6,691	\$6,691
Other Budgeted Funds		

**JUDICIAL BRANCH OF GEORGIA
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SECTION A. GENERAL INFORMATION

BUDGET UNIT: Judicial Council

Program: AOC – Civil Legal Services to Victims of Domestic Violence

FISCAL YEAR: ☒ Amended FY 2011 or ☒ FY 2012 Enhancement

Enter the net change in state funds requested for the program: \$99,324 in both AFY 11 and FY 12

Describe the impact the request has on any other program fund sources (federal and/or other funds).

There will be no impact on any other program fund sources.

SECTION B.

PART 1: EXPLANATION OF REQUEST

- 1. Proposal:** Grant additional funds to local organizations for the funding of civil legal services to victims of domestic violence.
- 2. Geographic Impact:** Where does the request impact the state?
☒ Statewide or list counties below
- 3. Current Status:** What is the budget unit currently doing to address this issue? Will those activities continue if this request is approved?

The program will only grant out those funds provided annually by the legislature. If funds are reduced by the legislature during a fiscal year then grant awards are retroactively reduced.

- 4. Supporting Data:** Provide any supporting data, evaluations, and/or research for this request. Include any information you have on similar successful programs or evaluations in other jurisdictions that are relevant to this request.

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Grantees

Locations by Counties

Amity House	Glynn and McIntosh
Atlanta Legal Aid Society, Inc.	Fulton, Gwinnett, DeKalb, Clayton, and Cobb
Cherokee Family Violence Center	Cherokee
DeKalb Volunteer Lawyer's Foundation	DeKalb
Forsyth Family Haven	Forsyth
Four Points	Catoosa, Chattooga, Dade, Walker
Gateway House	Hall
Georgia Coalition Against Domestic Violence (Includes 38 Shelters: Amity House, Camden House, Carroll County Emergency Shelter, Cherokee Family Violence Center, Circle of Love Center, Citizens Against Violence, Concerted Services, Inc., Crisis Line, Family Crisis Center, Family Haven, Halcyon Home, The Haven, Hope Harbour, Hospitality House, International Women's House, Liberty House, North Georgia Mountain Crisis Network, Our House, Partnership Against Domestic Violence, PADV, Peace Place, Project Renewal, Project Safe, Promise Place, The Refuge, Refuge Family Services, Ruth's Cottage, Safe Homes of Augusta, Safe Shelter, Securus House, Shalom Bayit, Share House Shepherd's Rest Ministries, Tranquility House, Wayne County Protection Agency, WINGS, Women's Resource Center, YWCA of Northwest Georgia)	116 Counties*
Georgia Law Center for the Homeless	Fulton and DeKalb (also includes Clayton, Cobb and Gwinnett Counties)
Georgia Legal Services Program	154 Counties (except for Fulton, Gwinnett, DeKalb, Clayton and Cobb Counties)
Halcyon Home	Thomas, Grady, Decatur, Seminole and Mitchell
Harmony House	Troup and Meriwether
Hope Harbour (Received grant in FY 2007 but returned 100% of the funds which were reallocated to other grantees)	Muscogee, Harris, Talbot, Marion, Taylor, and Chattahoochee (includes Fort Benning area)
North Georgia Crisis Network, Inc.	Fannin, Pickens and Gilmer
The Refuge	Toombs, Montgomery, Wheeler, Treutlen, and Emanuel
Northeast Georgia Shelter Collaborative (FY 2003-FY 2010) (Includes 5 shelters: SAFE, Circle of Hope, F.A.I.T.H, N.O.A. and Heart Haven)	Habersham, Stephens, White, Lumpkin, Dawson, Union, Towns, Rabun, Elbert, Franklin, and Hart

**JUDICIAL BRANCH OF GEORGIA
FY 2011 AMENDED REQUEST FORM
FY 2012 ENHANCEMENT REQUEST FORM**

- 5. Measures:** What measures are or will be used to evaluate the impact of this change? If an enhancement, what is the projected return on investment?

	FY04	FY05	FY06	FY07	FY08	FY09	FY10 (projections)
Total number of clients served through grant funds	4,290	5,095	5,405	4,193	4,199	4,225	6,769
Estimated total of Georgians who could receive service	98,203	98,203	98,203	98,203	98,203	98,203	98,203
% of eligible Georgians who received service through the grant funds	4.37%	5.19%	5.50%	4.27%	4.28%	4.30%	6.89%

- 6. Stakeholders/Constituents/Constituencies:** Describe the constituent and stakeholder groups affected by this change and whether they are likely to support or oppose this request (e.g., board members, advocates/interest groups, service providers, other agencies, other governmental entities).

Indigent persons who need civil legal services in domestic violence situations, agencies that provide such services at the local level.

Legislation or Rule Change (a): Is legislation or a Rule change required to be passed or changed if this request is implemented? If so, please explain.

No.

- 7. Legislation or Rule Change (b):** Is this request a result of a legislation or rule change? If so, please explain.

No.

- 8. Alternatives:** Explain what other alternatives were considered and why they were not viable.

PART 2: BUDGET

- 9. Requested and Projected Resources:** For enhancements and certain base adjustments, what additional resources are you requesting? What are your out-year projections?

We are requesting \$99,324 in each fiscal year.

**JUDICIAL BRANCH OF GEORGIA
FY 2011 AMENDED REQUEST FORM
FY 2012 ENHANCEMENT REQUEST FORM**

10. Methodology/Assumptions: Provide the methodology and assumptions behind the requested amount and out-year projections. How did you arrive at the amounts? What time period does the request cover (i.e., the number of months)?

11. Federal and Other Funds: Describe the impact on federal and/or other funds related to this request (amount, policy etc).

None.

JUDICIAL BRANCH OF GEORGIA

FY 2011 AMENDED REQUEST FORM

FY 2012 ENHANCEMENT REQUEST FORM

Budget Categories	FY 11 Amended Request	FY 12 Enhancement Request
Personnel Services:		
Operating Costs:		
Postage		
Motor Vehicle Expenses		
Printing, Publications, Media		
Supplies and Materials		
Repairs and Maintenance		
Equipment < \$5,000		
Water/Sewage		
Energy		
Rents Other Than Real Estate		
Insurance and Bonding		
Freight		
Other Operating		
Travel – Employee		
Real Estate Rentals		
Professional Services (Per Diem)		
Professional Services (Expenses)		
Other Contractual Services (Non State)		
Contracts – State Orgs		
IT Expenses		
Voice/Data Communications		
Grants	\$99,324	\$99,324
Indirect Costs		
Transfers		
Total Operating Budget	\$99,324	\$99,324
TOTAL OVERALL BUDGET	\$99,324	\$99,324
State Funds	\$99,324	\$99,324
Other Budgeted Funds		

Supreme Court of Georgia
Jury Composition Committee

In 2003 the Jury Composition Committee, chaired by Justice Hugh Thompson, was appointed by the Supreme Court to study whether an inclusive juror source list could replace Georgia's balanced box juror selection system for ensuring constitutionally-required representation of cognizable groups within the jury pool. The Administrative Office of the Courts has provided staff support to this committee since its creation.

On behalf of the committee, the AOC entered into a contract with Applied Research Services, Inc. of Atlanta to conduct such a study using available statewide databases. Georgia voter registration records and Department of Driver Services, (DDS) driver's license information (motor/voter) were the beginning points for this statewide source list. The feasibility study had to demonstrate that a juror source list meeting the ABA standards of inclusiveness (85% of adults eligible for jury service, free of duplicate records) could be produced for the state of Georgia and ultimately provided at least annually to each of the 159 counties.

The Phase One report, delivered to the committee on July 16, 2008, detailed how such a database could be constructed based on a comprehensive study of motor/voter data from ten counties. In the second phase of the project an inclusivity standard was formulated for a statewide juror source list that could not only meet Constitutional requirements, but also be certified as to statistical validity. The second phase has now reached a successful conclusion and the Committee is prepared to make its recommendations.

Committee Members: Justice Hugh P. Thompson, chair, Ms. Patricia Baker, Mr. John Cowart, Prof. Richard Creswell, Ms. Sara Crow, Mr. David Hutchings, Mr. Robert Keller, Ms. Linda Miller, Ms. Patty Morelli, Judge Carlisle Overstreet, Judge Ben Studdard, Mr. Ed Tolley, Mr. Dan Massey, Judge Lawton Stephens, Ms. Marla Moore, Mr. Bart Jackson, Mr. Tom Lawler, Ms. Mary McCall Cash, Mr. Michael Frankson, Ms. Billie Bolton.

August 2010

Reform Proposals:

I. Jury List Methodology

The Committee's charge was to investigate whether an inclusive list method can replace the balanced box method using driver license and voter registration records. The study considered three questions:

1. Is the inclusiveness standard a feasible alternative to the balanced box? Does it reflect a fair cross-section of the community?
2. Is it possible to centralize and pre-process a statewide list efficiently and cost-effectively?
3. What additional procedures, policies, data, or technology are required to compile an inclusive statewide juror source list?

The Committee proposes a series of procedures and/or rules to compile a statewide, inclusive source list. All rules are empirically-based, following extensive license and voter registration data and incorporating best practices for cleaning and merging the source list. The rules ensure that cognizable groups are not excluded and that source list centralization, with superior court clerk collaboration, does not impose an undue administrative burden.

The attached summary ("Attachment A") describes the general process and the proposed rules to create a statewide source list. A forthcoming Final Report will document all analysis and findings supporting compilation procedures and rules.

II. Draft Jury Reform Legislation

The Supreme Court Jury Composition Committee proposes amending OCGA §§15-6-50.2; 15-12-1, et seq. such that at least once a year an inclusive jury list is created for each county in Georgia. Records provided by the Georgia Secretary of State Election Division, the Department of Driver Services, Vital Records, etc. will make up a consolidated database that will be cleaned of duplicates, bad addresses, names of felons and deceased persons, and then sorted for transmittal to each county in Georgia. The legislative changes recommended by the Committee are included as Attachment B.

The Council of Superior Court Clerks will, by January 1, 2012, create an inclusive jury list for each county and distribute it to each county's Board of Jury Commissioners. Thereafter, a

new list will be prepared and distributed annually. The quality and integrity of these jury lists will be regulated by Georgia Supreme Court Rule. The Council will certify the lists to local Boards as to inclusiveness and validity.

This process will end forced balancing of the jury box and will make jury lists as inclusive as possible of all eligible citizens. Otherwise, local procedures for clerks of court, judges, jury commissioners and court administrators will remain the same. The statutory changes will provide local court officials with an inclusive jury list that is both statistically sound and defensible. In addition, the Constitutional limitations associated with forced balancing will no longer be a concern for judicial branch officials in Georgia.

Attachment A

Summary: Source List Preparation, Process, and Business Rules

Process Phases	Procedures/Rules
Data Extraction (all records)	Department of Driver Services (DDS): Ages 18+ Secretary of State Voter Registration Records
Data Preparation & Cleaning	Address & Name Standardization Identify missing data on key data elements Verify Address with U.S. Postal Service (USPS) database Correct address with USPS database (zip, county) if possible Key Date Validation Identify missing data on key data elements
Delete Selected DDS Records	Identify & remove ineligible DDS records
National-Change-of-Address (NCOA)	Submit eligible DDS records for NCOA processing (past 48-months) Evaluate NCOA returns & remove out-of-state Drop NCOA matched records with out-of-state moves Identify intra-county & inter-county moves Identify NCOA records flagged as invalid USPS addresses (not dropped) Apply NCOA address corrections (county code, zip code)
Vital Statistics Match (Death Certificates)	Identify/Remove deceased DDS drivers/personal ID holder/voters using Georgia death certificates (stringent deterministic matching rules applied)
Match Driver Records to Voter Records to Identify Duplicates	Match driver & voter records using probability linking methods to identify duplicates <u>For Matched DDS & Voter Records (Duplicates):</u> Identify data source (DDS, voter) with the most current name & address information Replace missing data in the DDS or voter list with valid/available data from the other source list (if available) Merge final DDS & voter records to compile final statewide source list
Distribute County List to Clerks	Distribute 159 county lists to clerks electronically
Statewide Source List Maintenance	Clerk Responsibilities
	Clerks return records electronically with unique voter/DDS identifier when for disqualified jurors and/or incorrect personal information (names, addresses)
	Statewide source list repository maintains returned records for future DDS and voter extractions to remove ineligible jurors and/or correct records (felony convictions, Non-US citizen)

Data Preparation & Cleaning

Address/Name Standardization

Name/address standardization is critical to maximize the likelihood of finding the address/resident in the National-Change-of-Address information system and to standardize address and data elements across the voter/driver databases. The research team developed project specific algorithms. In the future, the responsible source list agency can rely on the National-Change-of-Address (NCOA) vendor to perform all standardization.

1. Software algorithms are used to extract, parse, and standardize voter/driver addresses to ensure the address is consistent with the national USPS Address Information System promulgated in Postal Addressing Standards Publication #28 (April 2010 edition).
2. Software algorithms and the Georgia USPS Automated Address System (database) are used to correct address elements, such as the 5-digit zip, 4-digit zip suffix, and county code (if sufficient address information is available for accurate correction).
3. Naming algorithms standardize the first, last, and middle names to eliminate inconsistencies with apostrophes and other special name formats.
4. Standardize and correct all misspelled Georgia city names.
5. Ensure consistent county codes for DDS/voter records and add Federal Information Publishing Standards (FIPS) and Georgia county code – a code required to convert NCOA county codes to DDS and Secretary of State county codes.
6. Conduct a USPS Delivery Point Validation (DPV) to identify addresses that are not found in the USPS Address Information System. DPV determines whether the USPS recognizes the address as a valid and deliverable address. The NCOA vendor conducted a second DPV for DDS records as part of the standard NCOA service.

Missing Data Values

1. Identify records & data elements with missing or invalid data values:
 - a. Missing or inaccurate gender and race values
 - b. Invalid or missing Georgia county codes
 - c. Out-of-range dates

2. Missing gender values: Name standardization algorithms estimated the correct gender using a validated list of 100,000 likely name & gender combinations that is ethnically diverse. This missing value replacement is only temporary until the voter and driver files are merged.

Missing or invalid data are only flagged at this point until completion voter/driver files are merged. At this point, date and personal fields for the matched voter/driver records are evaluated to identify the source (voter/driver) with the most complete and accurate data. These record values are used in the final source list.

Removing Selected DDS & Voter (Felony) Records

1. The Department of Driver Services classifies documents (licenses/personal identification) as valid, no-license, suspended, revoked, cancelled, disqualified, expired, and other.
 - The No-license status includes in-state & out-of-state drivers convicted of driving without a license (no Georgia license on record) who did not obtain a license after conviction. These records were removed.
 - The No-license status includes Georgia residents with a DDS issued personal identification. These records were retained
 - All records with an expired driver license past 24-months were removed from the source list. See forthcoming Final Report for analysis, findings, and justification.
 - All residents with a personal identification were retained even if the expiration date exceeded 24-months. This one-time exception stems from a temporary DDS programming limitation. In cases where a person holds an expired license and a valid personal identification, the personal identification date is reported as expired. DDS will correct this problem in the next extract. Until this correction, all records were retained.
2. The Secretary of State Felony Conviction File is used to remove voters.

National Change-of-Address (NCOA) Processing

O.C.G.A. 21-2-233(a) authorizes the Secretary of State to conduct an NCOA check of electors on a periodic basis, defined as the period before Georgia State primaries. Voter records in this study were extracted in November, 2009, 120-days prior to NCOA processing for the 2010 primaries and 18-months following the last NCOA check. It was not cost-effective to re-process the voter file for several reasons.

DDS does not conduct NCOA address checks. Consequently, address verification is only possible upon license renewal, new applications, license reinstatement, driver initiated address/name change, or a new violation/conviction. All qualified DDS records were submitted for an NCOA check (see attachment about NCOA vendor description). The following describes the NCOA preparation process.

1. Replace the DDS driver license number with a randomly assigned unique tracking number (ID) prior to submitting the data to the NCOA vendor. This random ID is used after the NCOA match merge NCOA returned data to the original records.
2. Text searching programs are used to identify data elements and records with extraneous blanks, commas, or non-standard characters. Removing non-standard characters ensures creation of an accurately formatted comma delimited file (NCOA vendor requirement).
3. A comma-delimited file is created with the 10 data elements: last name, middle name, first name, primary address, secondary address, city, 5-digit zip code, 4-digit zip suffix, state, and unique tracking ID. No other DDS fields are submitted.
4. Submit the data for the 48-month USPS NCOA check for residential/individual processing
5. Before the NCOA match, NCOA vendor corrects addresses using the monthly USPS Address Information System (if possible). Automatic address correction relies on the USPS AIS system and two additional services.

Locatable Address Conversion System (LACS)

- a. Checks/corrects address if it falls under the 911 conversion (important in rural Georgia)
- b. Checks/corrects address if USPS cannot be bar-coded or has changed.

Delivery Point Validation (DPV)

1. The DPV check is a detailed address validity check. DPV determines if the address can be confirmed as a valid delivery point to verify that the actual address exists, specific to the actual apartment or suite number.
2. If the address is not valid or incomplete, NCOA vendor will correct address, if possible, for the following data elements:
 - a. City and state name
 - b. 5-digit zip code
 - c. 4-digit zip suffix
 - d. Street name spelling changed
 - e. New delivery point barcode
 - f. New corrected carrier route code
6. If correction is not possible, the address is flagged as undeliverable but still retained in the master source list.

NCOA Results & Analysis

DDS records are matched to the NCOA 48-month dataset containing over 160 million move records. The residential/individual specification ensures that multiple adults receiving mail at the same address can be tracked if different change-of-address forms are submitted.

If a record is found in the 48-month NCOA database, the record is classified as an intra-county move, inter-county, or an out-of-state move.

1. Delete all out-of-state or out-of-country moves
2. Correct NCOA matched addresses for intra-county and inter-county moves

3. If the address is flagged as undeliverable using the USPS Delivery Point Validation System, this record is retained in the final source list but flagged for the clerks to review manually or track with mail returns.
4. Remerge NCOA records to original DDS data using randomly assigned tracking ID

Record Matching: Department of Public Health Vital Statistics (Death Certificates)

Among drivers, the two-year expiration rule for driver records and statutory rules for purging inactive voters will remove many deceased residents. To identify deceased voters/drivers, death certificates were matched to all records using deterministic matching criteria (see attachment on deterministic matching)

1. Removing deceased drivers/voter is an exclusionary process. Special precautions were used to ensure that living residents are not incorrectly classified as deceased and removed from the source list in error.
2. Stringent deterministic matching criteria are used to guard against this error. High matching standards increases the probability that a deceased person remains on the source list but is preferable to inaccurate removals. Detailed review of this matching process and all fields are described in the forthcoming Final Report

Record Matching: Identify & Remove Duplicate Voter-Driver Records

To identify duplicate voter-driving records, probability linking methods (PLM) were used to increase the probability that the same residents in the voter-driver file are matched correctly to ensure that duplicate records are deleted (see attachment on probability linking). This method improves matches and computes the probability that the two records are the same person. Detailed review of this matching process and all fields are described in detail in the forthcoming Final Report.

1. Special string comparison functions are used to account for typographical data entry errors, such as first-name misspellings or transposed first and middle names.
2. Among matched records, date fields in both the voter and driver files are used to identify the most current address (if different). The same logic is applied to other data elements with missing information (race, sex).

3. Remove duplicates among matched records and merge and compile voter-driver source list.
4. Remove any duplicate DDS records where a separate document (license) is issued (motorcycle permit).

Distribute Final County Source List

... CLERK RESPONSIBILITIES ...

Statewide Source List Maintenance

As clerks use the source list and collect data on returned questionnaires, this information should be returned to the agency responsible for source list compilation. The clerks should return the driver license and voter registration identification ID for persons who are disqualified from jury duty:

- Non-US citizen (DDS records)
- Non-Georgia citizen
- Permanent/certified medical disability
- Felony convictions
- Deceased
- Other disqualifying criteria that are not enumerated above

In addition to disqualified jurors, clerks should return source records with an inaccurate address, name, personal information, or address with an invalid delivery point.

Source list agency will use returned records to maintain a permanent disqualification list and error database so subsequent source list compilations can purge disqualified jurors and correct records in the new extract.

Attachment to Source List Preparation Document

NCOA Vendor

The USPS National Change-of-Address (NCOA) is a secure dataset of approximately 160 million change-of-addresses going back up to 48 months that enable mailers to update mailing lists with new addresses from individuals, families and businesses that have moved. The USPS permits certified vendors to access this database for government and commercial purposes. For this study, Anchor computer was selected as the NCOA vendor.

Anchor is one of the oldest USPS certified NCOA vendors with over 25-years of experience. Located in Farmingdale, New York, Anchor is the preferred vendor for Fortune 100 Companies. Anchor does not sub-contract any processing to any subsidiary or partner (domestic or international) and all data processing occurs within the single, secure 40,000 sq foot Farmingdale Center. All data are received, processed, and returned to the customers within 48 hours. All data are encrypted when transferring data to/from Anchor and customer. All data are destroyed after successful NCOA check according to USPS data destruction methods.

Deterministic/Rule-Based Matching

In most jury source lists, duplicates are removed through a method referred to as rule-based or deterministic matching procedures. Deterministic record linkage looks for exact (dis)agreement on one or more matching variables between files. If all the matching fields and rules are not satisfied, the record pair is not considered a match. Munsterman (1996) describes one such strategy in *Jury System Management*, which is reprinted in the Georgia Jury Commissioner Handbook (Appendix III, 2007).

Probabilistic Record Linkage (PRL)

Another approach, and the one adopted in this study, employs Probabilistic Record Linkage (PRL) methods. Unlike the deterministic approach which requires an exact match on all fields, this method uses the statistical properties of a record pair to calculate the probability that the records apply to the same person. Exact matches on all the fields are therefore not required. The PRL method allows for both agreements and disagreements among matching fields between two records. PRL takes into account the probability that the matching field, such as the birth month, agrees by chance alone, even if the record pair is not the same person.

For example, suppose birth month is used as one of the matching fields. What is the chance that any pair of records from the voter and driver's license files will have same birth month, even if the two records are not the same person? For the sake of simplicity, let's say that there is an 8% ($1/12$) chance of agreement on birth month by chance alone, even if the records belong to different people. The power behind PRL becomes more apparent when using a combination of matching fields, such as the surname. The somewhat unusual name "Wilenski" will carry a much higher matching weight than "Smith," which is a very common name. For both the voter and driver's license databases, the frequencies (probabilities) are computed for each value in each of the matching fields. When all dis(agreements) among these fields and their corresponding weights are computed for each record pair, it is possible to make statements as to the likelihood that the record pair in fact represents the same person.

Amendment of Statutes Relevant to the Selection of Juries in Georgia: Committee Recommendations

To become effective on January 1, 2012.

OCGA § 15-6-50.2 Council of Superior Court Clerks of Georgia

(d) The Council of Superior Court Clerks of Georgia shall be a legal entity and an agency of the State of Georgia; shall have perpetual existence; may contract; may own property; may accept funds, grants, and gifts from any public or private source for use in defraying the expenses of the council; may adopt and use an official seal; may establish a principal office; may employ such administrative or clerical personnel as may be necessary and appropriate to fulfill its necessary duties; shall establish and maintain the state-wide master jury list as provided in Chapter 12 of this title; shall distribute to the board of jury commissioners of each county the county master jury list as provided in Chapter 12 of this title; and shall have other powers, privileges, and duties as may be reasonable and necessary for the proper fulfillment of its purposes and duties.

OCGA § 15-6-61. Duties

(a) It is the duty of a clerk of superior court: ... ; ~~and~~

(19) ... ; and

(20) To keep an automated, computer based jury management system that facilitates the maintenance of the county master jury list pursuant to the provisions of Chapter 12 of this title.

OCGA § 15-12-1. ~~Persons excused from jury duty~~ Definitions

Current statute replaced with:

As used in this chapter, the term:

(1) ‘Array’ means the body of persons subject to voir dire from which the final jury and alternate jurors are selected.

(2) ‘Clerk’ means the clerk of the superior court.

(3) ‘Council’ means the Council of Superior Court Clerks of Georgia.

(4) ‘Defer’ means to postpone a person’s jury service until a later date.

(5) ‘Excuse’ means to grant a person’s request for temporary or permanent exemption from jury service.

(6) ‘Inactivate’ means to remove a person identified on the county master jury list who is permanently prevented from being selected as a trial or grand juror because such person is statutorily ineligible or incompetent to serve.

(7) ‘Jury commissioner’ means a member of a county board of jury commissioners.

(8) ‘County master jury list’ means the list of names of persons eligible for jury service, compiled by the Council, and distributed to the local board of jury commissioners.

(9) ‘Venire’ means the list of persons summoned to serve as jurors for a particular term of court.

OCGA § 15-12-1.1 Persons excused and deferred from jury duty

(a)(1) Any person who shows that he or she will be engaged during his or her term of jury duty in work necessary to the public health, safety, or good order or who shows other good cause why he or she should be exempt from jury duty may be deferred or excused by the judge of the court to which he or she has been summoned or by some other person who has been duly appointed by order of the chief judge to excuse jurors. Such a person may exercise such authority only after the establishment by court order of guidelines governing excuses. Any order of appointment shall provide that, except for permanently mentally or physically disabled persons, all excuses shall be deferred to a date and time certain within that term or the next succeeding term or shall be deferred as set forth in the court order.

(2) Notwithstanding paragraph (1) of this subsection, any person who is a full-time student at a college, university, vocational school, or other postsecondary school who, during the period of time the student is enrolled and taking classes or exams, requests to be excused or deferred from jury duty shall be excused or deferred from jury duty.

(3) Notwithstanding paragraph (1) of this subsection, any person who is the primary caregiver having active care and custody of a child six years of age or younger, who executes an affidavit on a form provided by the court stating that such person is the primary caregiver having active care and custody of a child six years of age or younger and stating that such person has no reasonably available alternative child care, and who requests to be excused or deferred shall be excused or deferred from jury duty. It shall be the duty of the court to provide affidavits for the purpose of this paragraph and paragraph (4) of this subsection.

(4) Notwithstanding paragraph (1) of this subsection, any person who is a primary teacher in a home study program as defined in subsection (c) of Code Section 20-2-690 who, during the period of time the person is teaching, requests to be excused or deferred from jury duty and executes an affidavit on a form provided by the court stating that such person is the primary teacher in a home study program and stating that such person has no reasonably available alternative for the child or children in the home study program shall be excused or deferred from jury duty.

(5) Notwithstanding paragraph (1) of this subsection, any person who is the primary unpaid caregiver for a person over the age of six; who executes an affidavit on a form provided by the court stating that such primary caregiver is responsible for the care of a person with such physical or cognitive limitations that he or she is unable to care for himself or herself and cannot be left unattended and that the primary caregiver has no reasonably available alternative to provide for the care; and who requests to be excused or deferred shall be excused or deferred from jury duty. Any person seeking the exemption shall furnish

to the court, in addition to the aforementioned affidavit, a statement of a physician, or other medical provider, supporting the affidavit's statements related to the medical condition of the person with physical or cognitive limitations. It shall be the duty of the court to provide affidavits for the purpose of this paragraph.

(b) Any person who is 70 years of age or older shall be entitled to request that the board of jury commissioners ~~to remove such person's name from the jury list of the county~~ excuse such person from jury service in the county. Upon such request the board of jury commissioners shall ~~be authorized and directed to remove the person's name from the jury list~~ inactivate such person from the county master jury list. The request shall be made to the board or its clerk in writing and shall be accompanied by an affidavit giving the person's name, age, and such other information as the board may require. The board of jury commissioners of each county shall make available affidavit forms for the purposes of this subsection.

(c)(1) As used in this subsection, the term:

(A) "Ordered military duty" means any military duty performed in the service of the state or of the United States including but not limited to attendance at any service school or schools conducted by the armed forces of the United States which requires a service member to be at least 50 miles from his or her home.

(B) "Service member" means an active duty member of the regular or reserve component of the United States Armed forces, the United States Coast Guard, the Georgia National Guard, or the Georgia Air National Guard who was on ordered federal duty for a period of 90 days or longer.

(2) Any service member on ordered military duty and the spouse of any such service member who requests to be excused or deferred shall be excused or deferred from jury duty upon presentation of either a copy of the official military orders or a written verification signed by the service member's commanding officer of such duty.

OCGA § 15-12-4. Ineligibility of juror at next succeeding term

~~(a) Any juror person~~ who has served as a ~~grand or trial~~ juror at any session of the superior courts, ~~or state courts, or city courts~~ shall be ineligible for duty as a grand or trial juror at the next succeeding term of the superior or state courts. ~~in which he has previously served. Nothing contained in this subsection shall~~

~~prevent any trial juror from serving as a grand juror at the next term of the superior court of his county. This subsection shall not apply to any court in any county wherein the grand jury box contains not exceeding 100 names and the trial jury box contains not exceeding 350 names.~~

~~(b) When the name of any juror who is disqualified by subsection (a) of this Code section is drawn, the same shall not be recorded as a juror but shall be returned to the box from which it was drawn; and the drawing shall be continued until the jury is secured.~~

OCGA § 15-12-11. Appointment of jury clerk in certain counties; jury questionnaires

(a) In all counties having a population of 600,000 or more according to the United States decennial census of 1990 or any future such census, the judges of the superior court of such counties, by a majority vote of all of them, shall have the power to appoint a jury clerk and such other personnel as may be deemed necessary or advisable to dispatch the work of the court. The appointments to such positions and the compensation therefor shall be determined by the judges without regard to any other system or rules, such personnel to serve at the pleasure of the judges. The salaries and expenses of the personnel and any attendant expense of administration of the courts are determined to be contingent expense of court and shall be paid as provided by law for the payment of contingent expenses. The duties of the personnel shall be as prescribed by the judges.

(b) All prospective jurors in all counties may be required to answer written questionnaires, as may be determined and submitted by the judges of such counties, concerning their qualifications as jurors. In propounding the questions, the judges may consider the suggestions of counsel. In the questionnaire and during voir dire examination, judges should ensure that the privacy of prospective jurors is reasonably protected and that the questioning by counsel is consistent with the purpose of the voir dire process.

(c) Juror questionnaires shall be confidential and shall be exempt from public disclosure pursuant to the provisions of Code Section 50-18-70; provided, however, that the court may order the clerk in writing to release jury questionnaire data to parties and their counsel in preparation for a challenge to the array of the grand or trial jury pursuant to Code Section 15-12-162. The court's order shall specifically prohibit usage of data derived from a jury questionnaire for any purpose other than a challenge to the array.

~~(e)~~ (d) In the event any prospective juror fails or refuses to answer the questionnaire, the clerk shall report the failure or refusal to the court together with the facts concerning the same, and the court shall have such jurisdiction as is provided by law for subpoena, attachment, and contempt powers.

~~(d)~~ (e) This Code section shall be supplemental to other provisions of law, with a view toward efficient and orderly handling of jury selection and the administration of justice.

OCGA § 15-12-20. Appointment; number; qualifications; terms; removal

(a) In each county, there shall be a six-member board of jury commissioners, ~~whose appointed by the chief judge of the superior court.~~ The members of such board shall be discreet persons who are not practicing attorneys at law nor or county officers, who shall be appointed by the chief judge of the superior court.

~~(b) Absent promulgation of a court rule pursuant to subsection (c) of this Code section specifying a lesser number, the board of jury commissioners shall be composed of six members. When the board is composed of six members, on the first appointment two shall be appointed for two years, two for four years, and two for six years. Their successors shall be appointed for a term of six years. The first appointments to the board shall be fixed in such a manner that not more than two members' terms shall expire during any calendar year. The chief judge shall adjust the composition and terms of members of the board in office if more than two members' terms expire during any calendar year. Successors to members of the board originally appointed shall be appointed for a term of six years. No person who has served for more than three years as a jury commissioner shall be eligible or shall be appointed to succeed himself or herself as a member of the board of jury commissioners.~~

~~(c) In any county the chief judge of the superior court may establish by court rule duly published and filed a board of jury commissioners composed of not less than three nor more than five members. In counties in which the numerical composition of the board has been established by court rule, the first appointments to the board shall be fixed in such a manner that not more than one member's term shall expire during any calendar year. The chief judge shall adjust the composition and terms of members of the board in office at the time of the publication of the court rule. Successors to members of the board originally appointed under the provisions of a court rule shall be appointed for a term of six years.~~

~~(d) In all cases, the~~ The chief judge shall have the right authority to remove the jury commissioners at any time, in his discretion, for cause and appoint successors. ~~However, no person who has served for more than three years as a jury commissioner shall be eligible or shall be appointed to succeed himself as a member of the board of jury commissioners.~~

OCGA § 15-12-24. Compensation of commissioners and clerk for revising jury lists

Jury commissioners shall receive \$50.00 for each day's service in revising the ~~jury lists~~ county master jury list, to be paid from the county treasury. The clerk of the board shall receive \$50.00 to be paid in like manner. The chief judge of the superior court of the judicial circuit in which the county lies shall have the right, subject to the approval of the governing authority of the county, to increase the compensation provided by this Code section for the commissioners and clerk in an amount not exceeding \$100.00 for each day's service, to be paid in like manner.

OCGA § 15-12-40. ~~Revision~~ Compilation of jury lists; selection of jurors

Current statute replaced with:

(a) The council shall compile, consistent with the rules promulgated by the Supreme Court of Georgia, a state master jury list that identifies every person of this state who can be determined to be prima facie qualified to serve as a juror. Each calendar year, the council shall disseminate the county master jury list in electronic format to each county board of jury commissioners of this state. The council shall facilitate electronic updating of all information relative to jurors on the state and county master jury lists.

(b) In every county, upon court order, the board of jury commissioners shall draw a random list of persons from the county master jury list to comprise the venire.

(c) Upon request, the Department of Driver Services shall provide to the council and to the Administrative Office of the Courts a list, which includes the name, address, date of birth, gender, driver's license or personal identification card number issued pursuant to the provisions of Chapter 5 of Title 40, and, whenever racial and ethnic information is collected by the Department of Driver Services

for purposes of voter registration pursuant to Code Section 21-2-221, racial and ethnic information. The Department of Driver Services shall also provide the address, effective date, document issue date, and document expiration date; shall indicate whether the document is a driver's license or a personal identification card; and shall exclude persons whose driver's license has been suspended or revoked due to a felony conviction. Such lists shall be in electronic format as required by the council.

(d) Upon request, the Secretary of State shall provide to the council and the Administrative Office of the Courts, without cost, the list of registered voters and list of convicted felons.

OCGA § 15-12-40.2. ~~Removal from jury~~ List of persons convicted of felony or declared mentally incompetent to be provided to council

Current statute replaced with:

It shall be the duty of the Secretary of State to provide the council, in electronic format, with a copy of the lists of persons who have been convicted of felonies in state or federal courts or who have been declared mentally incompetent and whose voting rights have been removed, which lists are provided to the county board of registrars by the Secretary of State pursuant to Code Section 21-2-231.

OCGA § 15-12-41. Judge may order revision of jury list, when

Clerks' recommendation adopted; this Code section shall stand reserved.

OCGA § 15-12-42. Jury boxes, how made up

This Code section shall stand reserved.

OCGA § 15-12-43. ~~Book lists to be made~~ County master jury list to be provided to parties upon request

Current statute to be replaced with:

Upon the request of a party or his or her attorney, the clerk shall make available for review by such persons the county master jury list, which shall include only the potential jurors' names, cities of residence, dates of birth, and genders.

OCGA § 15-12-44. ~~Jury box or list~~ County master jury list, how supplied when destroyed

Current statute to be replaced with:

The state-wide and county jury source lists shall be safeguarded against catastrophic, routine, or any other form of loss or destruction, and on and after six months after the effective date of this Act, the council shall develop, implement, and provide a state-wide system to ensure that jury data for all counties of this state is systematically preserved in perpetuity and that all electronic jury source lists data can be restored in the event of loss.

OCGA § 15-12-45. Precept, when lost or destroyed, how supplied

Clerks' recommendation adopted; this Code section shall stand reserved.

OCGA § 15-12-60. Qualifications of grand jurors

Clerks' recommendation adopted:

(a) Except as provided in subsection (b) of this Code section, all citizens of this state 18 years of age or older who are not incompetent because of mental illness or mental retardation, and who have resided in the county for six months preceding the time of service, ~~and who are the most experienced, upright, and intelligent persons are~~ shall be qualified and liable to serve as grand jurors unless otherwise exempted by law.

(b) The following persons ~~are incompetent~~ shall not be eligible to serve as grand jurors:

(1) Any person who holds any elective office in state or local government or who has held any such office within a period of two years preceding the time of service as a grand juror; and

(2) Any person who has been convicted of a felony and who has not been pardoned or had his or her civil rights restored.

OCGA § 15-12-62. Manner of drawing of grand juries

Current statute replaced with:

Using the county's jury management system, the clerk shall draw a sufficient number of persons to serve as grand jurors. The clerk, not less than 20 days before the commencement of each term of court at which a regular grand jury is impaneled, shall issue summonses to the persons selected for grand jury service and shall mail such summonses. The clerk shall select grand jurors by electronic means in the manner and in accordance with the rules and regulations adopted by the Supreme Court.

OCGA § 15-12-63. Grand juries to be drawn for each week

When the superior court is held for longer than one week, the presiding judge may draw separate panels of grand jurors juries for each week if, in his opinion, the public interest requires it.

OCGA § 15-12-64. Judge fails to draw grand jury, when

Clerks' recommendation adopted; this Code section shall stand reserved.

OCGA § 15-12-66. Tales jurors, when summoned

This Code section shall stand reserved.

OCGA § 15-12-82. Grounds for transfer

(a) The judges of the superior courts are authorized and empowered to transfer the investigation by a grand jury from the county where the crime was committed to the grand jury in any other county in ~~the~~ this state when it appears that a qualified grand jury cannot be had for the purpose of such investigation in the county where the crime was committed. The grand jury ~~box~~ master list shall be exhausted in trying to secure a qualified jury before a transfer of the investigation shall be made, unless the accused consents to a transfer.

OCGA § 15-12-120. How drawn and summoned

Trial juries shall be selected as provided in Code Sections ~~15-12-40 and~~ 15-12-42. ~~At the same time and in the same manner that grand juries are drawn, the judge of the superior court shall draw names to serve as trial jurors for the trial of civil and criminal cases in the court.~~ Such trial jurors shall be summoned in the same manner as is provided in Code Section 15-12-65 ~~for summoning grand jurors.~~

OCGA § 15-12-121. How juries drawn when judge fails to draw

Clerks' recommendation adopted; this Code section shall stand reserved.

OCGA § 15-12-124. Tales jurors, when summoned

This Code section shall stand reserved.

OCGA § 15-12-126. Judges may make up panels, if regular panels cannot be had

This Code section shall stand reserved.

OCGA § 15-12-129. Juries where court session prolonged

This Code section shall stand reserved.

OCGA § 15-12- 130. Selection of jurors in courts with countywide jurisdiction

(a) In any county of this state where there is located any court or courts having county-wide jurisdiction concurrent with the superior courts of this state to try any, all, or any type of case not within the exclusive jurisdiction of the superior courts of this state, any trial juror drawn, selected, and summoned for service in the trial of civil and criminal cases in the superior court of such county shall be legally competent and qualified to serve as a juror in any such other court or courts located in the county for the same period of time as he is competent and qualified to serve as a trial juror in the superior court of the county.

(b) Subsection (a) of this Code section shall be applicable only if:

~~(1) At the time the names of trial jurors are drawn by the judge of the superior court in accordance with Code Section 15-12-120, the judge who draws the jurors shall announce in open court the name or names of the court or courts other than the superior court wherein the jurors shall be competent and qualified to serve by virtue of this Code section;~~

~~(2) The precept issued by the clerk of the superior court in accordance with Code Section 15-12-65 shows that the jurors listed thereon are qualified and competent to serve as jurors in courts other than the superior court and shows the name of such court or courts; and~~

~~(3) The summons served upon or sent to each of the jurors pursuant to Code Section 15-12-65 affirmatively shows the name of all the courts wherein the juror is eligible to serve an order is entered by the judges of the affected courts, identifying the courts in which the jurors may serve.~~

OCGA § 15-12-160. Panel of jurors in felony trials; tales jurors

This Code section shall stand reserved.

OCGA § 15-12-169. Source and qualifications of alternate jurors; examination; challenges for cause and peremptory challenges

Alternate jurors ~~must be drawn from the same source~~ shall be electronically selected from the same county master jury list and in the same manner and have the same qualifications as the jurors already sworn. They shall be subject to the same examination and challenges. The number of alternate jurors shall be determined by the court. The state and the accused shall be entitled to as many peremptory challenges to alternate jurors as there are alternate jurors called. The peremptory challenges allowed to the state and to the accused in such event shall be in addition to the regular number of peremptory challenges allowed in criminal cases to the accused and to the state as provided by law. When two or more accused are tried jointly, the number and manner of exercising peremptory challenges shall be determined as provided in Code Section 17-8-4.

OCGA § 21-2-211. Official list of electors; equipment to access list

Clerks' recommendation adopted:

(b) ... (2) The Secretary of State is authorized to procure and provide all of the necessary equipment to permit the county boards of registrars and the Council of Superior Court Clerks of Georgia to access and utilize the official list of electors maintained by the Secretary of State pursuant to this Code section, provided that funds are specifically appropriated by the General Assembly for that purpose.

OCGA § 21-2-225. What data available for public inspection

(b) All data collected and maintained on electors whose names appear on the list of electors maintained by the Secretary of State pursuant to this article shall be available for public inspection with the exception of bank statements submitted pursuant to subsection (c) of Code Section 21-2-220 and subsection (c) of Code Section 21-2-417, the date of birth, the social security numbers, and driver's license numbers of the electors, and the locations at which the electors applied to register to vote, which shall remain confidential and shall be used only for voter registration purposes; provided, however, that any and all information relating to the dates of birth, social security numbers, and driver's license numbers of electors may be made available to other state agencies if the agency is authorized to maintain such information and the information is used only to identify the elector on the receiving

agency's data base and is not disseminated further and remains confidential. Any and all information relating to the dates of birth and driver's license numbers of electors shall be made available to the Council of Superior Court Clerks of Georgia, who shall be authorized to provide such data to county boards of jury commissioners for use in county master jury lists as provided in Chapter 12 of Title 15.

(c) It shall be the duty of the Secretary of State to furnish copies of such data as may be collected and maintained on electors whose names appear on the list of electors maintained by the Secretary of State pursuant to this article, within the limitations provided in this article, on electronic media or computer run list or both. Notwithstanding any other provision of law to the contrary, the Secretary of State shall establish the cost to be charged for such data but shall not charge the Council of Superior Court Clerks of Georgia for such data. The Secretary of State may contract with private vendors to make such data available in accordance with this subsection. Such data ~~may~~ shall not be used by any person for commercial purposes. The Secretary of State shall provide such data to the Council of Superior Court Clerks of Georgia in the electronic media format required by such council.

OCGA § 21-2-231. Monthly transmittal of information to Secretary of State; removal of persons from list of electors

Clerks' recommendation adopted:

(f) Unless otherwise notified by the Secretary of State, the ~~clerk of the superior court of each county~~ Georgia Crime Information Center shall, on or before the tenth day of each month, prepare and transmit to the Secretary of State, in a format as prescribed by the Secretary of State, a complete list of all persons, including addresses, ages, and other identifying information as prescribed by the Secretary of State, who were convicted of a felony involving moral turpitude during the preceding calendar month in ~~that county~~ this state. The Secretary of State may, by agreement with the commissioner of ~~the Department of Corrections~~ corrections, obtain criminal information relating to the conviction, sentencing, and completion of sentencing requirements of felonies involving moral turpitude. Additionally, the Secretary of State shall be authorized to obtain such criminal information relating to Georgia electors convicted of felonies involving moral turpitude, if possible, from other states.

...

(g) The Secretary of State shall provide to the Council of Superior Court Clerks of Georgia not later than the last day of each month all information enumerated in subsections (a) through (d) of this Code

section and Code Section 21-2-232 and a list of voters who have failed to vote and inactive voters, as identified pursuant to Code Sections 21-2-234 and 21-2-235. Such data shall be used by the council and county boards of jury commissioners only for maintenance of state-wide and county master jury lists. Such data shall be provided to the council in the electronic format required by the council for such purposes.

OCGA § 40-5-2. Records to be kept by the department

The lists required to be made available to boards of jury commissioners and the ~~Administrative Office of the Courts~~ Council of Superior Court Clerks of Georgia pursuant to Code Section 15-12-40 regarding county residents who are the holders of drivers' licenses or personal identification cards issued pursuant to this chapter. Such lists shall identify each such person by name, address, date of birth, and gender, and, whenever racial and ethnic information is collected by the department for purposes of voter registration pursuant to Code Section 21-2-221, the department shall also provide such information. The department shall also provide the address, effective date, document issue date, and document expiration date and shall indicate whether the document is a driver's license or a personal identification card. Such information shall be provided to the Council of Superior Court Clerks of Georgia not later than the last day of each month in the electronic format required by the council for such purposes and without any charge for such data.

OCGA § 50-18-72. Exception of certain records

(a) Public disclosure shall not be required for records that are: . . .

(4.2) Jury list data, including, but not limited to, persons' names, dates of birth, addresses, ages, race, gender, telephone numbers, social security numbers, and other confidential identifying information that is collected and used by the Council of Superior Court Clerks of Georgia for creating, compiling, and maintaining county master jury lists pursuant to the provisions of Chapter 12 of Title 15; provided, however, that when ordered by the judge of a court having jurisdiction over a case in which a challenge to the array of the grand or trial jury has been filed, the Council of Superior Court Clerks of Georgia or the clerk of the county board of jury commissioners of any county shall provide data within the time limit established by the court for the limited purpose of such challenge. Neither the Council of Superior Court Clerks of Georgia nor the county board of jury commissioners shall be liable for any use or misuse of such data;

Memo

Chief Justice Carol W. Hunstein
Chair

To: Members of the Judicial Council
From: Judge Cynthia J. Becker
Date: 9/10/10
Re: Judicial Council Process Server Certification Committee



Committee Report

The Judicial Council Process Server Certification Committee was appointed by Chief Justice Carol W. Hunstein on July 8, 2010. Membership includes Judge Cynthia J. Becker, Chairperson, Judge John C. Pridgen, Judge David Darden, and Judge Jim Thurman. The charge of this committee is to fulfill the requirements of Senate Bill 491 through the establishment of regulations and appropriate testing for certification of individuals who are, or wish to become, servers of process.

The committee has worked cooperatively with various stakeholders including the Georgia Sheriffs' Association (GSA) and the Georgia Association of Processional Process Servers (GAPPS) in the compilation of rules and regulations. The committee anticipates disseminating draft rules to members of the Judicial Council by mid-October 2010. Members will have the opportunity to review the rules and provide feedback to the committee, as necessary, to ensure a final draft of regulatory rules are presented before this Council at its January 22, 2010 meeting. With the passage of the rules, it is anticipated the committee will be disbanded.

Official Judicial Branch Record Retention Schedules

Submitted to the Judicial
Council of Georgia
September 17, 2010



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**RESOLUTION OF THE STATE RECORDS COMMITTEE APPROVED
JANUARY 18, 1996**

BE IT RESOLVED THAT:

"All paper records of State agencies and local governments, and all records of the Courts of the State of Georgia which have been microfilmed and verified in accordance with said Micrographic Standards (Georgia Micrographic Standards) may be destroyed, unless specifically prohibited by law, code, resolution, order or an approved State Records Committee records retention schedule."

The record retention schedules used in the courts of Georgia have been reviewed, edited, and amended. The Judicial Council Committee on Record Retention is to be commended for its tireless dedication and commitment to this difficult undertaking over the past two years. The culmination of this undertaking will standardize the current schedules and present them in a uniform format. The work conducted in this project will add to the efficiency and effectiveness of the courts throughout the Judicial Branch.

Please Note:

Throughout these schedules the word "document" is used frequently. The Georgia Records Act at OCGA §50-18-91 et. seq. presents a number of formal definitions used broadly in the judiciary record retention schedules.

§50-18-91(2) "Court record" means all documents, papers, letters, maps, books (except books formally organized in libraries), microfilm, magnetic tape, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or, in the necessary performance of any judicial function, created or received by an official of the Supreme Court, Court of Appeals, and any superior, state, juvenile, probate, or magistrate court. "Court record" includes records of the offices of the judge, clerk, prosecuting attorney, public defender, court reporter, or any employee of the court."

§50-18-91(5) "Records" means all documents, papers, letters, maps, books (except books in formally organized libraries), microfilm, magnetic tape, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in performance of functions by any agency.

"Digital" or "Digitize" has been changed on each occurrence of "microfilm" throughout the retention schedules. This change reflects the application of scanning documents into electronic format. All imaging in the Judicial Branch must be in compliance with the imaging standards issued by the Department of Archives and History in the Office of the Secretary of State of Georgia.

CHANGE LOG: THIS LOG CONTAINS ONLY THOSE SCHEDULES THAT WERE CHANGED.

SUPERIOR AND STATE COURTS COMMON RECORDS RETENTION SCHEDULES

Schedules Relating to Criminal Case Records

Felony Record Retention Schedules

- 2010.0104 Certified Felony Transcripts Filed in Case Files
Deleted “Capital” from title.

Misdemeanor Court Records

- 2010.020 Case Files
Added “transcript” at the end of the first sentence.
- 2010.0202 Docket Books
Added “If created” to first sentence.
- 2010.0204 Books of Fines and Forfeitures
Added “Cut off file at end of each fiscal year, hold in current files area for five (5) years, or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later, then destroy.”
Retention changed to five (5) years from twenty (20) years.
- 2010.0205 [Added to title] Certified Misdemeanor Transcripts [Added to title] and Traffic Files and Transcripts in Case Files

Traffic Court Records, Transcripts, and Docket Books

- 2010.0301 Case Files
Added to Retention “twenty (20) years if serious traffic” and added “DUIs” to description.
- 2010.0302 Docket Books
Added “if created” to first sentence.”
Added to Retention “...unless serious traffic offenses as defined at 2010.0301 or not otherwise indexed retain for twenty (20) years.”
- 2010.0303 Minute Books
Added to Retention “...twenty (20) years if serious traffic” and added “DUIs” to description.
- 2010.0304 Books of Fines and Forfeitures
Added “Cut off file at end of each fiscal year, hold in current files area for five (5) years, or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later, then destroy.”
Changed retention to five (5) years from twenty (20) years
- 2010.0306 Criminal Calendars
New schedule distinguishes criminal calendars from civil calendars.

Superior and State Court Civil Record Retention Schedules

- 2010.0401 Civil Cases Not Proceeding to Final Judgment (DWOPs)
Changed retention from five (5) years to two (2) years.
Added to Retention “...after order of dismissal or by operation of law; then destroy.”

- 2010.0402 Civil Case Files
Added to Retention “Upon the determination of the Clerk of Superior Court that such records are not of historical significance; then, records may be destroyed after twenty (20) years.”
- 2010.0403 Civil Dockets
Added to Retention “...if created.” in first sentence.
- 2010.0406 Civil Calendars
New schedule distinguishes civil calendars from criminal calendars.
- 2010.0409 Domestic Relations – Contempt Actions
New Schedule
- 2010.4010 Name Changes
New Schedule
- 2010.0411 Personal Injury
New Schedule
- 2010.0412 Malpractice
New Schedule
- 2010.0413 Collection Cases
New Schedule
- 2010.0414 Appeals - Magistrate Court
New Schedule

Record Retention Schedules Relating to Jury Management

- 2010.0502 Jury Questionnaire File
Added to Retention “...exception for murder cases in which death penalty or life without parole is sought.
- 2010.0506 Sheriff's Juror Precepts
Added to Retention “Note: The document may be a report generated from the jury management system in each county.

Record Retention Schedules Relating to Property Records

- 2010.0708 Personal Property - Indexes of Financing Statements
Changed retention from Permanent to twenty (20) years.
Added to Retention “...destroy after 1/1/2020 unless financing is still active.”
- 2010.0713 Real Estate Transfer Tax Declaration Forms File
Changed retention from three (3) years to two (2) years.
- 2010.0715 Federal Tax Lien Files

Record Retention Schedules Relating to Attorneys

- 2010.0801 State Bar Applications for Admission without Examination
Added to Retention “ the series will terminate on 1/1/2048; then destroy.”
- 2010.0802 Practicing Attorneys Registration Books
Added to Consists of: “To include record of practicing attorneys to include order of admission and oath of commission.”

Record Retention Schedules Relating to Election Records

No changes in this series.

Record Retention Schedules Relating to Other Records

- 2010.1001 Notary Public Application, Certificates, and Dockets - Applications and Certificates Docket Books: Added "Docket books not required; where in existence shall be maintained as a permanent record."
- 2010.1003 Newspapers Containing Legal Advertisements Changed retention from fifty (50) years to forty (40) years.

Record Retention Schedules Applicable to All Court Offices No changes in this series.

JUVENILE COURTS COMMON RECORDS RETENTION SCHEDULE

- 2010.1101 Individual Juvenile Court Case Files; Excludes Termination of Parental Rights and Legitimation Added to Title "- Excludes Files Relating To Termination of Parental Rights and Excludes Files Relating to Legitimation"
- 2010.1109 Traffic Case Files
Changed retention from seven (7) years to six (6) years.

PROBATE COURTS STATEWIDE RECORDS RETENTION SCHEDULES

Probate Court Record Retention Schedules

- 2010.1201 Applications, Bonds, and Permits for Fireworks Displays
Changed retention from seven (7) years to six (6) years.
- 2010.1203 Estate Case Files
Changed retention from twenty (20) years to permanent.
- 2010.1204 (Hospitalization) Files Created Pursuant To Proceedings under Chapter 3, 4, and 7 of Title 37 of the OCGA and Proceedings under Prior Official Codes Relating Thereto (Involuntary Commitment Records)
Changed retention from twenty (20) years to ten (10) years.
- 2010.1206 Marriage Records
New Schedule
- 2010.1207 Peddlers Licenses and Certificates of Eligibility Files
Changed retention from three (3) years to two (2) years.
- 2010.1208 Weapons Carrying License Application File
Changed series title.
Changed retention from nine (9) years to six (6) years.
- 2010.1209 Public Officers' Oaths and Bonds
Changed retention form
- 2010.1210 Wills
Wills filed after beginning the use of imaging or photocopying at the method of recording.
Changed retention from twenty (25) years to permanent.

Traffic Court Records, Transcripts, and Docket Books

Amended series for uniformity across all courts hearing traffic cases

- 2010.0301 Civil Case Files
- 2010.0302 Docket Books
- 2010.0303 Minute Books
- 2010.0304 Books of Fines and Forfeitures
- 2010.0305 Records Concerning Traffic Violations Which Result in a Felony Charge

Magistrate Court Record Retention Schedules

- 2010.1301 Arrest and Search Warrants Files
- 2010.1302 Good Behavior Bonds
New Schedule
- 2010.1303 Civil Case Files
Added to Consists of "Includes affidavits for summons of dispossessory, applications for summons of foreclosure of personal property, and abandonment of automobiles or vessels."

Traffic Court Records, Transcripts, Docket Books, and Ordinance Violations

Amended series for uniformity across all courts hearing traffic cases

- 2010.0301 Case Files
- 2010.0302 Docket Books
- 2010.0303 Minute Books
- 2010.0304 Books of Fines and Forfeitures
- 2010.0305 Records Concerning Traffic Violations Which Result in a Felony Charge
- 2010.0306 Ordinance Violations
New Schedule

PROSECUTING ATTORNEYS RECORD RETENTION SCHEDULES

This series was formally amended into the Official Judicial Branch Record Retention Schedules.

- 2010.1501 Misdemeanor, Traffic, and Ordinance Violations
- 2010.1502 Prosecutor's Felony Case Files
- 2010.1503 District Attorney's Files on Child Support – UIFSA or URESA
- 2010.1504 District Attorney's Child Support Undocumented Case Files
- 2012.1505 Prosecutor's Dismissed Misdemeanor and Misdemeanor Traffic Case Files
- 2010.1506 Attorney Case Files

DELETED RECORD RETENTION SCHEDULES

- SCO 0302 Certified Misdemeanor Transcripts Filed in Case Files
- SCO 0303 Court Reporter's Notes Files
- 83-868 Discharged Federal Tax Liens
- 90-86 Superior Court Clerks List of Persons Who Have Been Convicted of a Felony
- 90-87 Superior Court Clerks' List of Qualified Electors
- D-83-0001 Pistol Toter's Bonds
- 85-0017 Register of Physicians, Dentists, and Other Professionals

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Felony Record Retention Schedules

2010.0101 Felony Case Files

Certified Felony Transcripts

2010.0102 Capital Offenses
2010.0103 Non-Capital Felonies
2010.0104 Certified Felony Transcripts Filed in Case Files
2010.0105 Court Reporter's Note Files - Capital and Non-Capital Felony Offenses
2010.0106 Minute Books

Misdemeanor Court Records

2010.0201 Case Files
2010.0202 Docket Books
2010.0203 Minute Books
2010.0204 Books of Fines and Forfeitures
2010.0205 Certified Misdemeanor Transcripts and Traffic Files and Transcripts in Case Files

Traffic Court Records, Transcripts, and Docket Books

2010.0301 Case Files
2010.0302 Docket Books
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2010.0404 Minute Books
2010.0405 Record of Writs
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2010.0407 Sealed Civil Depositions
2010.0408 General Execution Docket and General Execution Docket Indexes
2010.0409 Domestic Relations – Contempt Actions
2010.4010 Name Changes
2010.0411 Personal Injury
2010.0412 Malpractice
2010.0413 Collection Cases
2010.0414 Appeals - Magistrate Court

Record Retention Schedules Relating to Jury Management

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2010.0502 Jury Questionnaire File
2010.0503 Juror Information Form
2010.0504 Grand Juror and Trial Juror Lists
2010.0505 Jury Drafts and Scripts
2010.0506 Sheriff's Juror Precepts

Record Retention Schedules Relating to Property Records

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2010.0702 Indexes to Deeds
2010.0703 Financing Statements
2010.0704 Continuation Statements
2010.0705 Statements of Release
2010.0706 Statements of Assignment
2010.0707 Termination Statements
2010.0708 Personal Property - Indexes of Financing Statements
2010.0709 Original Instruments
2010.0710 Record Books and Indexes Containing Entries Relating to Personalty Only
2010.0711 Record Books and Indexes Relating to Both Personalty and Realty
2010.0712 Duplicate Index Books
2010.0713 Real Estate Transfer Tax Declaration Forms File
2010.0714 Federal Tax Lien Index
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Record Retention Schedules Relating to Attorneys

2010.0801 State Bar Applications for Admission without Examination
2010.0802 Practicing Attorneys Registration Books
2010.0803 Third Year Law Students' and Staff Instructors' Files
2010.0804 Certification of Bar Admission Eligibility File

Record Retention Schedules Relating to Election Records

2010.0901 Elections Records File
2010.0902 Applications for Petitions to Recall the Probate Court Judge
2010.0903 Calls of Recall Elections for Probate Judge

Record Retention Schedules Relating to Other Records

2010.1001 Notary Public Application, Certificates, and Dockets - Applications and Certificates
2010.1002 Applications for Trade Name and Trade Registration Index
2010.1003 Newspapers Containing Legal Advertisements

Record Retention Schedules Applicable to All Court Offices

2010.1101 Court records destruction notice and certification file
2010.1102 Retention schedules for court records (reference copies)
2010.1103 Court records transmittal and receipt files
2010.1104 Court budget working papers file
2010.1105 Approved budget reference files
2010.1106 Court Procurement File
2010.1107 Revenue Remittance File
2010.1108 Workers' compensation claim files for court employees
2010.1109 Vehicle maintenance and repairs file

FELONY CASE FILES

Schedule: 2010.0101

Consists of: Documents relating to trying felony cases in superior courts and documenting proceedings in those cases – included are indictments, pleadings, motions, warrants, bond applications, sentences, correspondence, and all other papers pertinent to felony cases.

Retention:

Files Generated from 1900 to Present: Hold in active files until all appeals have been exhausted; transfer to inactive files; cut off inactive files at end of calendar year; hold in office five years; transfer to local holding area or County Records Center; hold permanently. Files may be digitized or microfilmed provided: 1) digitizing or micro-filming is done according to Georgia Imaging Standards or Microfilm Standards; 2) a security copy of the digital format or microfilm is deposited in the Georgia Department of Archives and History; 3) a reference copy of the digital format or microfilm format is kept in the office of the clerk of superior court and a reader-printer is available to facilitate reference.

Files Generated before 1990: Transfer to local holding area or County records Center; hold permanently – Even if digitized or micro-filmed, destruction of these originals is not approved.

CERTIFIED FELONY TRANSCRIPTS

Schedule: 2010.0102 through 2010.0106

Consists of: *Capital Felonies:* Documents relating to certified verbatim records or narrative recollections of judicial proceedings in felony cases. Included are certified records of court reporters' transcripts and certified records in narrative form of recollections of the motions, colloquies, objections, ruling, evidence (documentary or otherwise), charge of the courts, and all proceedings in any judicial action based on a charge of felony offense punished by death or life imprisonment.

Non-capital Felonies: Documents relating to certified verbatim records or narrative recollections of judicial proceedings in felony cases. Included are certified records in narrative form of recollections of the motions, colloquies, objections, rulings, evidence (documentary or otherwise), charge of the court, and all other proceedings in any judicial action based on a charge of a felony offense punished by a term of imprisonment less than life.

Certified Felony Transcripts Filed in Case Files: Dispose of in accordance with felony case files.

Criminal Evidence Books: Capital and Non-Capital Felonies. This includes well bound books used to contain court reporter's transcripts and recollection transcripts of judicial proceedings involving charges of felony offenses.

Court Reporter's Note Files: Capital and Non-capital Felony Offenses: Documents of recordings; notes or other records relating to generation of certified transcripts. Included are: recordings, notes, and other records which have not been reduced to typed or printed documents.

Retention:

- 2010.0102 *Capital Offenses:* Cut off file at end of each calendar year; hold for seventy (70) years; then destroy.
- 2010.0103 *Non-capital Felonies:* Cut off file at end of calendar year; hold for twenty (20) years; then, destroy.
- 2010.0104 *Certified Felony Transcripts Filed in Case Files:* Capital and Non-capital Felonies. Dispose of in accordance with retention schedules for felony case files.
- 2010.0105 *Criminal Evidence Books:*
- a) General: Hold twenty (20) years after date of most recent transcript entered; remove capital felony transcripts; then destroy. Hold capital felony transcripts an additional fifty (50) years; then destroy.
 - b) Duplicate Records: If books duplicate felony transcripts on file, check for and remove non-duplicated transcript; then destroy books. Hold non-duplicated transcripts for recommended retention periods; then destroy. There is no requirement to bind in books.
- 2010.0106 *Court Reporter's Note Files Non-Capital Felony Offenses:* Cut off file at end of each calendar year; hold two (2) years; then destroy.

MISDEMEANOR COURT RECORDS

Schedules: 2010.0201 through 2010.0204

Consists of: *Case Files:* Includes original papers which are called or serve as: accusation, affidavit, appearance bond, arresting officer's affidavit, bail bond, cash bond, conviction, disposition, fine, indictment, judgment, motion, notice of appeal, notice of arraignment, notification of hearing, order, plea, pleading, sentence, subpoena, summons, waiver, warrant, or certified copies of the same transcript. This schedule does not apply to any record books which contain references to felony cases.

Docket Books: Books which generally contain essential information in summary form about each particular misdemeanor case adjudicated. Most dockets contain an alphabetical index in front of each book which references the defendant's name to the page number on which the case summary is docketed.

Minute Books: Books which contain photo static copies of the accusation and disposition associated with each case, or contain type-written or handwritten entries regarding the defendant, charge, and disposition of each case.

Books of Fines and Forfeitures: Books which contain listings of fines and forfeitures received by the court regarding each particular misdemeanor offense.

Retention:

- 2010.0201 *Case Files:* Cut off file of disposed cases at end of calendar year, hold closed files twenty (20) years, then destroy; digitize or microfilm entire contents of case files; hold originals for four (4) years, then destroy originals; hold digital format or microfilm format for twenty (20) years from date of disposition, then destroy.

- 2010.0202 *Docket Books if Created*: Hold for twenty (20) years from date of last disposition entry, then destroy; digitize or microfilm, hold original for four (4) years, then destroy; hold digital format or microfilm format twenty (20) years from date of last disposition entry, then destroy.
- 2010.0203 *Minute Books*: Hold for twenty (20) years after date of last disposition recording, then destroy; or digitize or microfilm, hold originals for four (4) years beyond date of last disposition recording, then destroy; hold digital format or microfilm format for twenty (20) years after date of last disposition entry, then destroy.
- 2010.0204 *Books of fine and forfeitures*: Ten (10) years after last entry. Cut off file at end of each fiscal year, hold in current files area for five (5) years, or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later, then destroy.

MISDEMEANOR TRANSCRIPTS AND TRAFFIC FILES AND TRANSCRIPTS

Schedule: 2010.0301 through 2010.0306

Consists of: Documents relating to certified verbatim records or narrative recollections of judicial proceedings in misdemeanor and traffic cases. Included are certified records of court reporters' transcripts and certified records in narrative form of recollections of the motions, colloquies, objections, rulings, evidence (documentary or otherwise), charge of the court and all proceedings in any judicial action based on a charge of a misdemeanor or traffic offense.

Retention:

- 2010.0301 Certified Misdemeanor and Traffic Transcripts: Cut off file at end of calendar year; hold three (3) years; destroy.
- EXCEPTION:* Concerns transcripts of cases resulting in sentences of five (5) or more years. Hold for duration of sentence imposed; then, destroy.

TRAFFIC COURT RECORDS TRANSCRIPTS AND DOCKET BOOKS

Schedule: 2010.0302 through 2010.0306

Consists of: *Case Files*: Includes documents which are called or serve as the following: accusation, affidavit, appearance bond, arresting officer's affidavit, bail bond, cash bond, conviction, disposition, fine, indictment, judgment, motion, notice of appeal, notice of arraignment, notification of hearing, order, plea, pleading, sentence, subpoena, summons, uniform traffic citation, waiver, and warrant, or certified copies of the same.

Docket Books If Created: Books which generally contain essential information in summary form about each traffic case adjudicated. Most dockets contain an alphabetical index which references the defendant's name to the page number on which the case is docketed. This schedule applies to docket books which contain misdemeanor traffic records only.

Minute Books: Books which contain photo static copies of the accusation and disposition associated with each case, or contain type-written or handwritten entries detailing the defendant, charge and disposition of each case. Only minute books exclusively for misdemeanor traffic violations are covered.

Books of Fines and Forfeitures: Books which contain listings of fines and forfeitures received by the court regarding each particular offense. Only books containing fines and forfeitures exclusively for misdemeanor traffic violations are covered.

Retention:

- 2010.0302 *Case Files*: Cut off file of disposed misdemeanor traffic cases at end of calendar year. Hold in closed files for six (6) years or if serious traffic; then, hold for twenty (20) years; then destroy. DUIs.
- 2010.0303 *Docket Books If Created*: Hold docket books used exclusively for misdemeanor traffic cases ten (10) years from date of last disposition entry, then destroy; or digitize or microfilm docket books, hold for four (4) years from date of last disposition entry, then destroy docket books, retaining digital format or microfilm format for additional six (6) years; unless serious traffic as defined at 2010.0301 or not otherwise indexed retain for twenty (20) years.
- EXCEPTION:* If the docket contains an index to case files, hold the index portion ten (10) years, then destroy; hold the balance of the docket four (4) years, from date of last disposition entry, then destroy.
- 2010.0304 *Minute Books If Created*: Hold for ten (10) years from date of last disposition entry, then destroy; digital format or microfilm format, hold for four (4) years from date of last disposition entry, then destroy retaining digital format or microfilm format for an additional six (6) years; unless serious traffic as defined at 2010.0301 or not otherwise indexed retain for twenty (20) years.
- 2010.0305 *Books of Fines and Forfeitures*: Hold for ten (10) years from date of last disposition entry; then, destroy. Hold in current files area for five (5) years or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later; then destroy.
- 2010.0306 *Records Concerning Traffic Violations Which Result In a Felony Charge*: Hold indefinitely unless specified otherwise by statute or order of the Supreme Court.

CIVIL CASES NOT PROCEEDING TO FINAL JUDGMENT

Schedule: 2010.0401

Consists of: Documents relating to trying civil suits in Superior Courts. Included are civil case files in which the plaintiff never carried through to judgment. Cases dismissed without prejudice are included. Not included are cases dismissed with prejudice or cases in which the judge's order specifies terms of out of court settlement.

Retention: Two (2) years

CIVIL CASE FILES

Schedule: 2010.0402

Consists of: Documents relating to trying civil cases in superior courts and documenting the proceedings in those cases. Included are pleadings and judgments in civil cases, including divorce and domestic relations, complaints, summonses, defensive pleadings, court orders, notices of appeal, appellate pleadings, and determinations of appellate courts.

Retention: Hold in active file until case is closed; then, transfer to inactive file. Cut off inactive file at end of calendar year; hold in office seven (7) years; then, transfer to a local holding area or County Records Center is authorized. Retain permanently, except that files may be digitized or microfilmed provided that (1) digitizing or microfilming is done in accordance with any required digital format or microfilm format standards; (2) a security copy of the digital format or microfilm format is placed in the Georgia Archives; (3) a reference copy is available in the clerk's office; and (4) a reader-printer is available in the clerk's office. If digitizing or microfilming is done, the paper copies of cases filed after 1900 may be destroyed at the time they are eligible for transfer to a local holding area or County Records Center. Paper copies of cases filed prior to 1900 may not be destroyed. Upon the determination of the Clerk of Superior Court that such records are not of historical significance; then, records may be destroyed after twenty (20) years.

CIVIL DOCKETS (Also called Issue, Motion, Bench, or Bar Dockets)

Schedule: 2010.0403

Consists of: Documents relating to indexing all pleadings filed in the course of civil actions, including independent motions which are to be decided by the judge without the intervention of a jury. Included are bound volumes which serve as an index to pleadings for each case. Entries vary from one time period to another and from one court to another but generally show term of court, names of parties and their attorneys, case numbers, nature of actions and subsequent service and pleadings. Entries are in case number order (assigned by filing date). Most dockets contain an index to defendants and plaintiffs, showing case numbers for each case.

Retention: Cut off on completion of the volume if created; hold permanently. Transfer to a local holding area or a county archives is authorized after ten (10) years. Digitizing or microfilming and subsequent destruction of original volume is authorized provided that silver security copy or other such security version of digital format or microfilm format is transferred to State Archives for contin-

uing retention and provided that a reference copy of the digital format or microfilm format is maintained for local use by the court and the public.

Note: This schedule does not apply to any court which maintains dockets through the use of electronic data processing. Upon the determination of the Clerk of Superior Court that such records are not of historical significance; then, records may be destroyed after twenty (20) years.

MINUTE BOOKS

Schedule: 2010.0404

Consists of: Documents relating to recording proceedings and orders in superior courts. Included are court orders, oaths, bonds, motions, certifications; transcripts, full proceedings, and other documents regarding cases; charges to and presentments of grand juries; local rules of procedure; orders or other documents regarding court administrative matters; and other documents. Minute books are often divided, with civil and criminal matters in separate volumes.

Retention: Cut off file series upon completion of book. Hold in the current files area twenty (20) years; then transfer to local holding area; hold permanently; except that original book created by typewriter or by photographic recording methods may be destroyed provided that (1) they have been digitized or microfilmed in accordance with applicable digital format or microfilm format standards; (2) the books are thoroughly indexed; (3) the court has a digital format or microfilm format reader-printer for generating paper copies; (4) the court has two reference copies of the digital format or microfilm format; and (5) the security (camera) copy of the film is deposited with the Georgia Department of Archives and History.

RECORD OF WRITS (Also called Final Records, Final Settlements, Declarations, or Proceedings)

Schedule: 2010.0405

Consists of: Documents recording the text of each case heard by the courts, especially recording writs issued. Included are volumes containing, for each case heard by the court, copies of the complete text of the case or copies of any actions taken by the court.

Retention: Cut off file on completion of volume and hold permanently. Transfer to a local holding area or to a County Records Center or archives is authorized five years after cut-off; digitizing or microfilming and subsequent destruction of the original volume is authorized provided that (1) the silver security copy of the film is transferred to the Georgia Archives for permanent retention, and (2) a reference copy of the film is maintained in the county for use by the court and the public.

CIVIL CALENDARS

Schedule: 2010.0406

Consists of: Documents relating to listing civil matters to be heard, dates for hearing, and styles of cases. Included are calendars for judges and magistrates. Calendars may be made for pre-trial proceedings, trials, motion hearings, small claims, appearances, appellate causes, and other reasons as the court sees fit.

Retention: Cut off file at end of calendar year; hold in current files area one (1) year; then destroy.

Note: It is recommended that a record copy of each series of calendar be maintained by the clerk as this schedule specifies. Other copies generated for office use, publication, or notification purposes may then be destroyed at the end of the week or weeks of court for which they were produced.

SEALED CIVIL DEPOSITIONS

Schedule: 2010.0407

Consists of: Documents related to obtaining pre-trial testimony from parties and witnesses during discovery for civil cases filed in the superior court under OCGA §9-11-(27-31). File consists of sealed envelopes containing depositions taken of parties or witnesses. File may be in form of stenographic transcripts, videotapes, or electronic or digital recordings. Envelopes are endorsed with the title of the action and the name of the deponent. Note: depositions which have been opened for use in the court become a part of the case file and are not included in this schedule.

Retention: Hold in the current files area until the case is terminated by order of the court and until all appeals of the corresponding case are completed or until the case is dismissed by order of the court for want of prosecution; the transfer to inactive file; hold in inactive file one (1) year; then destroy. (Inactive file may be stored in local holding area or in the county records center.) Note: if the deposition is used in a court proceeding, place in appropriate case in Civil Case Files series and apply the schedule applicable to that series.

GENERAL EXECUTION DOCKET AND GENERAL EXECUTION DOCKET INDEXES

Schedule: 2010.0408

Consists of: Documents relating to recording basic information concerning the execution of the court's decisions. Included are books with entries showing the date case adjudged, names of the parties and their attorneys, case number, date Fi. Fa. issued, and disposition of the execution. After 1971, photo static copies of Fi. Fa. is used in place of these entries. Entries are in the order in which the Fi.Fa.s are filed with the clerk's office.

Retention: Cut off file series when the last judgment is entered in book; then, hold seventeen (17) years; then destroy. Transfer to a local holding area is authorized after seven (7) years.

Domestic Relations

Schedule: 2010.0409

Consists of: All documents relating to those cases resulting in dissolution of a marriage, child custody, or award of alimony.

Retention: Permanent

Domestic Relations – Contempt Action

Schedule: 2010.0409.a

Consists of: All documents related to contempt actions arising out of Domestic Relations Cases.

Retention: Twenty (20) years after disposition

Name Changes

Schedule: 2010.0410

Consists of: Case files relating to changing ones name.

Retention: Permanent

Personal Injury

Schedule: 2010.0411

Consists of: Civil cases related to personal injury.

Retention: Twenty (20) years

Malpractice

Schedule: 2010.0412

Consists of: Documents relating to cases alleging professional malpractice.

Retention: Twenty (20) years

Collection Cases

Schedule: 2010.0413

Consists of: An action containing the pleadings on debt concerning specific contract or account

Retention: Five (5) years if no Fi. Fa. Is filed. five (5) years If Fi. Fa. is filed, upon its satisfaction or expiration.

Appeals – Magistrate Court

Schedule: 2010.0414

Consists of: Documents relating to cases appealed to the Superior or State Court based on a judicial decision in the Magistrate Court.

Retention: Ten (10) years

JURY MASTER LIST (BOX)

Schedule: 2010.0501

Consists of: Documents relating to persons qualified for jury service. Included are lists composed of all persons qualified to serve as jurors--whether lists be tickets, computer printouts, digital format or microfilm format, or in any other form except computer file data storage banks.

Retention: Counties using mechanical or electronic means of juror selection: The computer data storage bank file itself is excluded from this schedule. See OCGA § 15-12-40 (b) (3) which makes this file the permanent jury box. Cut off file series (bound paper copy of computer printout and updates of jury master list required by OCGA §15-12-43) when a new bound copy of the complete computer file master list is made. Hold in current files area 1 year; then, transfer to local holding area; hold nine (9) years; then destroy. In lieu of the paper computer printout master list, digital format or microfilm format created in accordance with OCGA §15-12-44 (b) may be used for record retention purposes after the cut off date. Then, the digital format or microfilm format of the jury master list must be maintained in the same manner and for the same period as the computer printout retention requirements set out.

Counties using non-mechanical means of juror selection: Cut off file series (including tickets of jurors' names in juror box and bound copy of jury master list) after revision of jury master list. Then destroy tickets and keep bound copy of jury master list (created in accordance with OCGA §15-12-43) in current file area one (1) year; then, transfer to local holding area; hold nine (9) years; then destroy.

JURY QUESTIONNAIRE FILE

Schedule: 2010.0502

Consists of: Documents relating to selection and qualification of jurors. Included are completed jury questionnaire forms and consolidated lists (including computer output) where applicable.

Retention: Cut off file at the end of each major revision of the jury list; then, transfer to local holding area; hold ten (10) years; then destroy with the exception for murder cases in which death penalty or life without parole is sought.

Note: for purposes of this schedule; a major revision of the jury list is defined as the point at which the jury qualification questionnaires are mailed to citizens of a county who are considered prospective Jurors.

JUROR INFORMATION FORM

Schedule: 2010.0503

Consists of: Documents relating to: (1) providing information to attorneys about summoned jurors in order to facilitate jury selection, and/or (2) correcting errors on or updating information on juror master list. Included are juror information forms turned in by summoned jurors to jury clerk on first day of jury service. Forms contain information provided by jurors and may include occupation, age, marital status, age and occupation of spouse; number of children, previous jury service, and similar data.

Retention: Cut off file series at the end of each calendar year; hold one (1) year; then destroy. Transfer to a local holding area is authorized.

GRAND JUROR AND TRIAL JUROR LISTS

Schedule: 2010.0504

Consists of: Documents relating to summoning and service of grand jurors and trial jurors. Included are: (1) lists of grand or trial jurors summoned at a term or week of court, (2) lists of grand or trial jurors sworn to serve at a term or week of court, and (3) lists of grand jurors serving at a term of court and trial jurors serving in a case before the court. (Specifically excluded from this schedule are the jury master list - jury box, jury qualifications questionnaires, and jury script.)

Retention: Cut off file series at end of each term of court; hold in current files area 1 year; then, transfer to Records Center; hold nine (9) years; then destroy. Except, if these lists are recorded on the court minutes and verified, then the originals and any duplicates (other than the minute book copy) of the jurors summoned list and jurors sworn list may be destroyed after 30 days have expired from the close of the term of court for which the jurors served or were summoned. If a trial jury list (serving) in each case is incorporated into the case file, all other copies (excluding minute book copies, if any) may be destroyed after thirty (30) days have expired since the close of the term of court in which jurors served; and the case file copy shall not be destroyed unless in accordance with the records retention schedule established for such type of case file.

JURY DRAFTS AND SCRIPTS

Schedule: 2010.0505

Consists of: Documents relating to juror payment for service. Included are copies of juror drafts and script.

Retention: Cut off file at end of each calendar year; hold in the current files area four (4) years; then destroy.

SHERIFF'S JUROR PRECEPTS

Schedule: 2010.0506

Consists of: Documents relating to summoning of grand and trial jurors. Included are clerk's lists to sheriff showing jurors to be summoned for service for term of court.

Retention: Cut off file series at the end of each calendar year; hold in current files area three (3) years; then destroy.

Note: The document may be a report generated from the jury management system in each county.

DEED BOOKS

Schedule: 2010.0701

Consists of: Books containing instruments pertaining to ownership and transfer of ownership of real and personal property.

Retention: Cut off at end of calendar year; hold permanently; paper copy may be transferred to County Records Center or local holding area after twenty (20) years; or digitize or microfilm; hold paper copy one (1) year, then destroy; retain copy of digital format or microfilm format permanently and transfer silver original or digital security version to State Archives.

INDEXES TO DEEDS

Schedule: 2010.0702

Consists of: Documents relating to maintaining an index for recorded deeds. Included are bound volumes containing grantor and grantee indexes to deeds recorded by the clerk. For each deed recorded the index shows the name of the grantor, the name of the grantee, the character of the instrument, the date of the instrument, the volume and page where recorded, and the date of recording. Usually there are separate volumes for grantors and grantees.

Retention: Cut off file when volume is full, then hold permanently.

Note: If the office uses an indexing system in connection with a computer, any weekly, monthly, quarterly, annual, or other interim printouts (which are superseded by consolidated volumes) may be destroyed when the larger consolidation is received.

PERSONAL PROPERTY RECORDS

Schedule: 2010.0703 through 2010.0715

Consists of: STATEMENTS FILED AND INDEXED AFTER JANUARY 1, 1964. Real property records in which are noted fixture filings or filings concerning crops, minerals, or accounts subject to OCGA §11-9-103(5).

Financing Statements: Documents indicating the names and addresses of the debtor and the secured party, signed by the debtor, and containing a "statement indicating the types or describing the items of collateral."

Continuation Statements: Documents identifying the original financing statement by number and stating that the original statement is still effective which is signed by the secured party.

Statements of Assignment: Documents setting forth the name of the secured party of record, the debtor, the file number, the date of the filing of the financing statement, and the name and address of the assignee, and descriptions of the assigned collateral.

Statements of Release: Documents containing a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement.

Termination Statements: Documents stating that there is no outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value, indicating the financing statement's file number and/or signed by the secured party.

Indexes of Financing Statements: Books containing the name and address of the debtor, and the file number of the financing statement, as well as entries regarding receipt of continuation statements, termination statements, and statements of assignment and release.

Retention:

2010.0703 *Financing Statements:* Cut off after date of filing; hold six (6) years; then destroy; or digitize or microfilm, destroy originals; hold digital format or microfilm format six (6) years; destroy.

EXCEPTION: 1) If notice of action involving statement given (including insolvency

proceeding), hold statement or copy for duration of proceeding; and sixty (60) days thereafter or six (6) years whichever is later; then destroy. 2) If continuation statement filed; hold financing statement for six (6) years from date of continuance; destroy unless another continuation statement filed. 3) If real estate mortgage is effective as a fixture (DCC) filing, hold financing statement or copy for 1 year after mortgage released or satisfied of record or otherwise terminates. 4) If financing statement filed before July 1, 1978, hold six (6) years and two (2) months after filing; then destroy. 5) If a termination statement is filed, hold financing statement or digital format or microfilm format copy for one (1) year; destroy after termination date.

2010.0704 *Continuation Statements:* six (6) years after date of filing

2010.0705 *Statements of Release:* six (6) years after date of filing

2010.0706 *Statements of Assignment:* six (6) years after date of filing

2010.0707 *Termination Statements:* Cut off when received; hold one (1) year; then destroy; or digitize or microfilm, destroy criminal and hold digital format or microfilm format one (1) year.

2010.0708 *Indexes of Financing Statements:* Retain for twenty (20) years destroy after 1/1/2020 unless financing is still active.

RECORDS RECORDED PRIOR TO JANUARY 1, 1964

Original Instruments: Includes documents designed as bills of sale, personal property mortgages (including all instruments styled as "note" or "Personalty Deed to Secure Debt"), contracts, conditional sales contracts, bill of sale to secure debt, liens, assignments, leases, liens of conveyances of crops, transfers, bonds for title, renewals (of debt), affidavits, agreements, or retention title contracts delivered to the clerk for recording but never picked up by or returned to the parties to the transaction to which the documents relate.

Record Books and Indexes Containing Entries Relating to Personalty Only: Consists of copies of original instruments written or typewritten on blank pages, or copies onto forms in a record book kept expressly for that purpose. Indexes may be contained in a separate volume from entries. Record Books include: books of bills of sale, deeds to personal property, books for bills of sale to secure debt, chattel mortgage record docket, chattel mortgages and lien dockets, filing docket and general index to chattel mortgages, filing docket and general index to personalty mortgages, personal property docket, personal lien dockets, personalty mortgages-grantor index, and public index to personalty mortgages. Some of these books are singles volumes or parts of a records series containing both volumes for personalty and volumes for realty records.

Record Books and Indexes Relating to Both Personalty and Realty: Consists of copies of original instruments written or typewritten on blank pages, or copies into forms in a record book kept expressly for that purpose. Indexes to these entries may be contained in the record

books themselves or may be in separate volumes. Books include: Book for Mortgage Liens, Book for Title, Contract Records, Factor's Lien Records, File Docket for Liens, Lease Record, Lien Book, Lien Stock Record, Mortgages and Lien Record, Mortgage Record, Promiscuous Record, Security Bonds and Deals, Security Deed Record, Filing Docket and General Index to Mortgages or Other Items, Filing Docket and General Index to Property, Filing Docket and Index to Mortgages, General Index to Deeds and Personalty Mortgages, Grantee Index to Deeds and Personalty Mortgages, Grantee Index to Mortgages, Grantor Index to Deals and Personalty Mortgages, and Grantor Index to Mortgages. Duplicate index books.

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|-----------|---|
| 2010.0709 | Original Instruments: Return to parties; if im possible, destroy. |
| 2010.0710 | Record Books and Indexes Containing Entries Relating to Personalty Only: Cut off at last entry; hold twenty (20) years; destroy. <i>EXCEPTION:</i> Books created prior to 1900 must be offered to Department of Archives and History. |
| 2010.0711 | Record Books and Indexes Relating to Both Personalty and Realty: Extract realty records, rebind; retain permanently; treat personalty records according to personalty schedules; or digitize or microfilm book; retain film permanently; destroy book according to personalty schedule. |
| 2010.0712 | Duplicate Index Books: Verify entries; then, destroy. |

REAL ESTATE TRANSFER TAX DECLARATION FORMS FILE

Schedule: 2010.0713

Consists of: Documents relating to transfer tax on real estate. Included is the duplicate copy of the real estate tax declaration form which is filed in the superior court clerk's office.

Retention: Cut off file at the end of each calendar year; then, hold in the office two (2) years; then destroy.

FEDERAL TAX LIEN INDEX

Schedule: 2010.0714

Consists of: Documents relating to discharged federal tax lien. Included is the federal tax lien index.

Retention: Retain for ten (10) years from date of discharge of last lien recorded in the index. The index may be digitized or microfilm at any time after the discharge of the last open lien is filed. Retain digital format or microfilm format ten (10) years from date of discharge of last lien; retain original for two (2) years after digitizing or microfilming.

FEDERAL TAX LIEN FILES

Schedule: 2010.0715

Consists of: Documents relating to federal tax liens. Included are notice of federal tax lien, discharge from federal tax lien, and release and partial discharge from federal tax lien.

Retention: If federal tax lien index is kept, and if discharges are entered on same lien, as required by law, both notice of lien and discharge can be destroyed seven (7) years from final discharge date. Renewed liens and liens which were discharged in error (and for which notice has been received) are not discharged liens for the purposes of this schedule.

When federal tax lien index is not marked as above, or where any other system (including General Execution Docket) is used, retain notice of federal tax lien and discharge for fifty (50) years.

STATE BAR APPLICATIONS FOR ADMISSION WITHOUT EXAMINATION

Schedule: 2010.0801

Note: This series ended in 1977.

Consists of: Documents relating to admission to State Bar of attorneys from other States. Included are motions for admission, answers of the State Bar, proceedings, rule nisi, judge's orders.

Retention: Cut off file at end of calendar year 1977; transfer to local holding area; then, hold seventy (70) years; then destroy or cut off file at end of calendar year 1977; digital format or microfilm format file; destroy originals; hold digital format or microfilm format seventy (70) years; the series will terminate on 1/1/2048; then destroy.

PRACTICING ATTORNEYS REGISTRATION BOOKS

Schedule: 2010.0802

Consists of: Documents relating to registration of practicing attorneys. To include record of practicing attorneys to include order of admission and oath of commission. Information included is name, address, place, date of admission to practice, and retirement notice.

Retention: Cut off file when book is filled, hold in office ten (10) years; then, transfer to local holding area; hold permanently. Digitizing microfilming is authorized when the book is filled. The original record may be destroyed after digitizing or microfilming and verification.

THIRD YEAR LAW STUDENTS' AND STAFF INSTRUCTORS' FILES

Schedule: 2010.0803

Consists of: Documents relating to authorization of third year law student or staff instructor to assist District Attorney or practice legal aid. Included are law schedule dean's certificates, student, and staff instructor oaths.

Retention: Cut off file at end of each calendar year; hold in the current files area one (1) year; then, transfer to local holding area; hold two (2) years; then destroy.

CERTIFICATION OF BAR ADMISSION ELIGIBILITY FILE

Schedule: 2010.0804

Consists of: Certificates of a passing bar exam score and orders of judge for clerk to issue license to practice law.

Retention: Cut off file at end of each calendar year; hold in office ten (10) years; then, transfer to local holding area; hold for sixty (60) years; then destroy or cut off file at end of calendar year; then, digitize or microfilm file; then destroy originals; then, hold digital format or microfilm format seventy (70) years; then destroy.

ELECTION RECORDS FILE

Schedule: 2010.0901

Consists of: Documents relating to general and primary elections. Included are: used, unused, and void ballots, ballot stubs, oaths of poll officers, numbered lists of voters, tally papers, voting machine paper proof sheets, and return sheets.

Retention: Cut off file series when delivered to clerk of court; transfer to local holding area; hold two (2) years; then, present to grand jury for approval at first meeting after twenty-four (24) months; hold until grand jury adjourns; then destroy, except that in the event of a court case for any race documented by these records, hold until final settlement, then destroy.

APPLICATIONS FOR PETITIONS TO RECALL THE PROBATE JUDGE

Schedule: 2010.0902

Consists of: Records related to granting authority, to persons wishing to sponsor a recall drive, for petitions for the recall of the judge of the probate court as provided for in OCGA §21-4-3(3)(A).

Retention: Retain two (2) years; then destroy.

CALLS OF RECALL ELECTIONS FOR PROBATE JUDGE

Schedule: 2010.0903

Consists of: Calls for recall elections for a probate judge who also serves as election superintendent. See OCGA §21-4-13(c)(2).

Retention: Retain two (2) years; then destroy.

NOTARY PUBLIC APPLICATION, CERTIFICATES, AND DOCKETS

Schedule: 2010.1001

Consists of: Documents including electronic records relating to certifying persons to be notaries public. Included are applications for becoming a notary public, certificates of persons so commissioned, and docket books listing persons commissioned.

Retention: *Applications and Certificates:* Cut off file at end of each calendar year; hold in current files five (5) years; transfer to local holding area for four (4) years; then destroy. If docket book, index, or other record book exists which contains name, address, and commission period; retain permanently.

Retention: *Docket Book:* Cut off file when book is completed; hold permanently. Docket books not required; where in existence shall be maintained as a permanent record. The retention of a cumulative alphabetical index in lieu of docket books is authorized if the index states not only the name and address of the notary public, but also the beginning and expiration date of each person's commission. If created, the index shall be kept permanently.

Microfilming and subsequent destruction of these records is authorized provided that: (1) a silver security copy or other such security format of digital format or microfilm format is transferred to State Archives for permanent retention and (2) a reference copy of the digital format or microfilm format is maintained in the county for use by the court and the public.

APPLICATION FOR TRADE NAME AND TRADE NAME REGISTRATION INDEX

Schedule: 2010.1002

Consists of: Documents relating to registration of trade name under which an individual or company is doing business. Included are applications for registration of trade name. Trade name registration index books include entries of owners, addresses, and names of business. In most counties, recent years of entries are photocopies of applications. Many of the books have a cumulative index which list business name and page number of application.

Retention: Cut off file series at end of each month. If application is entered in registration index book, hold application for 1 year after cut off date, then destroy. Hold registration index book permanently unless book is digitized or microfilmed in accordance with Georgia Imaging Standards or Microfilm Standards. If digitized or microfilmed, the original index book may be destroyed one (1) year after digitizing or microfilming. A security copy of the digital format or microfilm format shall be sent to the State Archives and a reference copy shall be maintained by the court clerk. If the trade name registration index book is generated by computer, the same disposition instructions apply.

NEWSPAPERS CONTAINING LEGAL ADVERTISEMENTS

Schedule: 2010.1003

Consists of: Documents relating to giving public notice, through newspaper advertisements, of official actions or as required by various laws. Included are copies of newspapers containing legal advertisements as required by law. Note: OCGA §§ 15-6-74 and 15-9-43 authorize newspapers to be maintained in digital format or microfilm format or by other photographic means. These code sections and OCGA §15-16 -12 authorize clerks of superior court, judges of probate court, and sheriffs to enter into an agreement whereby one of these officials will maintain the official record of these newspapers for the other two.

Retention: Cut off file series at the end of each calendar year; hold in the current files area forty (40) years; then, transfer to library, historical society, or destroy if declined. Digitizing or microfilming of the newspapers each year and retention on film, destroying the paper is authorized provided that Georgia Imaging Standards or Microfilm Standards are followed.

COURT RECORDS DESTRUCTION NOTICE AND CERTIFICATION FILE

Schedule: 2010.1101

Consists of: Documents relating to notification to county government of pending records destruction and certifications of destruction. This may include notices and certifications of records destruction forms received from the County Records Center, and copies of letters or memos sent to a county records management officer certifying records destruction from the office in accordance with instructions by a retention schedule.

Retention: Cut off at the end of each calendar year; hold in the current files area ten (10) years; then destroy. The record copy may be maintained by a County Records Center and is not affected by this schedule.

RETENTION SCHEDULES FOR COURT RECORDS (REFERENCE COPIES)

Schedule: 2010.1102

Consists of: Documents relating to establishing retention schedules for court records (under the Georgia Records Act) and implementing the provisions of those schedules. Included are reference copies of approved court records retention schedules, including 1) copies of the "Application for Records Retention Schedule for Georgia Courts," and 2) copies of summaries of schedules such as those in Common Records Retention Schedules for Courts.

Retention: Hold in active file until superseded or voided, or until all dispositions instructions are no longer applicable to any existing records, whichever is later; then destroy.

COURT RECORDS TRANSMITTAL AND RECEIPT FILES

Schedule: 2010.1103

Consists of: Documents relating to transferring records to the local County Records Center. Included may be copies of records transmittal and receipt forms showing the records series and dates of the records that have been transferred to records center storage.

Retention: Cut off at the end of each calendar year; hold in the current files area ten (10) years; then destroy. The record copy may be maintained by a County Records Center and is not affected by this schedule.

COURT BUDGET WORKING PAPERS FILE

Schedule: 2010.1104

Consists of: Documents relating to preparation of annual budget requests. Included are the forms relating to program, purpose, goals and objectives, budget request, personnel schedule, equipment, description of improvements, capitol projects, budget estimate of revenue, estimated budget projection, budget adjustment requests, and other similar forms and budget documents, working papers, drafts, feeder reports, copies of proposed budgets, correspondence, and memoranda.

Retention: Cut off file series at the end of each fiscal year; hold in current files area two (2) years; then destroy.

Note: The record copy is generally maintained by the County Department of Finance or the Clerk of the County Commissioners and is not affected by this schedule.

APPROVED BUDGET REFERENCE FILES

Schedule: 2010.1105

Consists of: Documents relating to planning and controlling the expenditure of appropriated funds. Included are copies of approved budget showing the allocation of funds by the appropriating authority. Working papers showing the planning for the expenditure of these funds, or reports, usually monthly or quarterly, showing the current status of expenditures as compared with the amount budgeted may also be included.

Retention: Cut off at end of fiscal year; hold until no longer needed for reference; then destroy.

COURT PROCUREMENT FILE

Schedule: 2010.06

Consists of: Documents relating to procurement of goods, equipment, supplies, and services. Included are copies of requisition forms with all attachments and specifications; confirmatory purchasing documents such as bids, copies of invoices, petty cash vouchers, proof of purchase or paid bills, and similar documents; copies of purchase orders; copies of bids; and documents showing selection of vendor. Also included are departmental copies of the requisition forms used to procure standard office supplies from county purchasing departments, if any.

Retention: Cut off file series at the end of each fiscal year. Hold in the current files area two (2) years; then destroy.

Note: The record copy is generally maintained by the County Department of Finance or Clerk of the County Commissioners and is not affected by this schedule.

REVENUE REMITTANCE FILE

Schedule: 2010.1107

Consists of: Documents relating to remitting revenue to the County Department of Finance or County Treasurer. Included are copies of fee receipts and documents summarizing revenue received or other supporting attachments transmitting funds to the County Department of Finance or County Treasurer.

Retention: Cut off the file series at the end of each fiscal year. When audited: Upon completion of audit, transfer to local records center; hold four (4) years; then destroy. When not audited: Transfer to local records center; hold four (4) years; then destroy. The record copy is generally maintained by the County Department of Finance or County Treasurer and is not affected by this schedule.

WORKERS' COMPENSATION CLAIM FILES FOR COURT EMPLOYEES

Schedule: 2010.1108

Consists of: Documents relating to compensating court employees and officials for medical expenses or indemnity compensation for on-the-job injuries or job-related disabilities. Included are worker's compensation occupational injury reports, initial medical reports, final medical reports, various medical bills, reports or verifications, correspondence, and other papers used to support a claim with the State Board of Workers' Compensation.

Retention: If this is employer's record copy, hold in active files until notification is received that a claim is terminated or final settlement has been made; then, transfer to the inactive file. Cut off inactive files at the end of the calendar year; transfer to local records center; hold ten (10) years; then destroy. If notification is received that the claim is terminated or final settlement has been made, then transfer to inactive file. Cut off inactive file at end of calendar year; transfer to local records center; hold two (2) years; then destroy.

VEHICLE MAINTENANCE AND REPAIRS FILE

Schedule: 2010.1109

Consists of: Documents relating to maintaining vehicles and recording related costs for budget and other planning purposes. Included are: maintenance logs, records of service or repairs, and records of usage of vehicles.

Retention: Cut off file series at the end of each fiscal year; hold in the current files area three (3) years; then destroy.

B. INDEX TO RECORD RETENTION SCHEDULES Juvenile Court Record Retention Schedules

2010.1101	Individual Juvenile Court Case Files; Excludes Termination of Parental Rights and Legitimation
2010.1102	Parental Notification of Abortion Case Files
2010.1103	Legitimation Case Files and Termination of Parental Rights Case Files in Which Rights Were Terminated
2010.1104	Case Files of Juveniles on Probation or Supervision with the Court
2010.1105	Court Reporter's Notes and Files
2010.1106	Docket Books
2010.1107	Court Calendars
2010.1108	Files and Records of Juvenile Court Administered Programs
2010.1109	Traffic Case Files

INDIVIDUAL JUVENILE COURT CASE FILES – EXCLUDES FILES RELATING TO TERMINATION OF PARENTAL RIGHTS AND EXCLUDES FILES RELATING TO LEGITIMATION

Schedule: 2010.1101.j

Consists of: The individual juvenile court case files shall serve as the minutes. Includes the following vital records: complaints; peti-

tions; all court orders; rights forms; notices of appeal; publications; applications for publication; transcripts; any other items in juvenile court files which are juvenile court generated and do not fall within the category of non-vital records. Includes the following non-vital records: subpoenas; correspondence; intake data sheets; witness lists; route sheets; clerk or judges bench notes; applications for court appointed attorney; social histories; victim impact statements; any duplicates of court generated documents or records; essays; community service reports; applications for bond; custody reports generated by juvenile court for investigatory purposes; and case histories transmitted by another juvenile court. Includes non-vital documents generated by other persons or agencies such as the following: records of ankle monitoring agencies; police reports; Department of Family and Children Services reports; Department of Juvenile Justice reports; psychologicals; custody reports not produced by juvenile court; medical records; school discipline/attendance records.

Retention: Cut off at the end of each calendar year. Hold in the current files area one year from the calendar year in which the case was disposed of by disposition or remittitur. The court may then dispose of any documents or records defined above as "non-vital" or any non-juvenile court generated document which was not admitted into evidence. Transfer to local holding area; Hold twenty-eight (28) years from the end of the calendar year of the date that the child was born or five (5) years from the end of the calendar year of the date of the last entry; destroy.

Date of Series: Earliest: 1950; Latest: Ongoing

PARENTAL NOTIFICATION OF ABORTION CASE FILES

Schedule: 2010.1102.j

Consists of: The individual juvenile court case files shall serve as the minutes. Documents relating to actions initiated by a minor, on such minors behalf or by next friend, for a waiver of the requirement that a parent be notified that an abortion is to be performed. Includes petitions, orders, medical statements, correspondence, etc.

Retention: Cut file off upon decision by court or the granting of the petition without such a decision. Hold in the current files area ninety (90) days; destroy.

Date of Series: Earliest: 1987; Latest Ongoing

LEGITIMATION CASE FILES AND TERMINATION OF PARENTAL RIGHTS CASE FILES IN WHICH RIGHTS WERE TERMINATED

Schedule: 2010.1103.j

Consists of: The individual juvenile court case files shall serve as the minutes. May include the following vital records: complaints; petitions; all court orders; rights forms; notices of appeal; publications; applications for publication; transcripts; any other items in juvenile court files which are juvenile court generated and do not fall within the category of non-vital records. May include the following non-vital records: subpoenas; correspondence; intake data sheets; witness lists; route sheets; clerk or judge's bench-notes; applications for court appointed attorney; social histories; any duplicates of court gener-

ated documents or records; and case histories transmitted by another juvenile court. May include non-vital documents generated by other persons or agencies such as the following: police reports; Department of Family and Children Services reports; Department of Juvenile Justice reports; psychologicals; school discipline/attendance records; and custody reports not produced by juvenile court.

Retention: Cut off at the end of each calendar year. Hold in the current files area one (1) year from the calendar year in which the case was disposed of by disposition or remittitur. Transfer to local holding area for permanent retention.

Date of Series: Legitimation Files: Earliest 1950; Latest: Ongoing
Termination Case Files: Earliest: 1950;
Latest Ongoing

CASE FILES OF JUVENILES ON PROBATION OR SUPERVISION WITH THE COURT

Schedule: 2010.1104.j

Consists of: Documents relating to a juvenile's status on probation or supervision with the court. Includes drug screens, school attendance records, reports of contact with probation officer; etc.

Retention: Destroy upon juvenile reaching the age of seventeen (17) or when probation or supervision is terminated, whichever is later.

Date of Series: Earliest: 1950; Latest: Ongoing

COURT REPORTER'S NOTES AND FILES

Schedule: 2010.1105.j

Consists of: Documents relating to verbatim recording of oral proceedings before the court. Included are stenographic machine tapes and/or notes. May also include tape recordings, dictagraph belts, paper strips, steno pads, and other recording media including electronic formats.

Retention: Cut off file at end of calendar year; Hold in current file area two (2) months; Transfer to local holding area; Hold two (2) years; destroy.

Date of Series: Earliest 1950; Latest: Ongoing

DOCKET BOOKS

Schedule: 2010.1106.j

Consists of: Documents relating to cases filed in juvenile courts. Included are docket books, bound and loose-leaf, and the pages thereof, in which is recorded information regarding children who are referred to the juvenile courts and complaints which are filed against them or in their interest. Also included are computer records or other electronic records of the information required to be maintained in the juvenile docket book in juvenile courts which store the docket sheet information electronically in lieu of maintaining a separate juvenile docket book.

Retention: Cut off the file when the last entry is made in the book. May then transfer to local holding area; Hold twenty-eight (28) years from end of calendar year of last entry; destroy.

Date of Series: Earliest: 1976; Latest: Ongoing

COURT CALENDARS

Schedule: 2010.1107.j

Consists of: Documents relating to listing of matters to be heard, dates for hearing and styles of cases. Included are calendars for judges and associate judges.

Retention: Cut off file series at the end of each calendar year; Hold in the current files area one year; destroy.

FILES AND RECORDS OF JUVENILE COURT ADMINISTERED PROGRAMS

Schedule: 2010.1108.j

Consists of: Documents relating to the administration of court programs including but not limited to the following: community service programs; diversion programs; restitution programs; community oriented risk-reduction programs; parenting classes; Tough Love programs; mentoring programs; tutoring programs; and counseling programs. Included are attendance records, referrals to other programs, testing results, certificates, etc.

Retention: Cut off at the end of each calendar year. Hold in current files area two years from date of creation; Transfer to local holding area; Hold three (3) years; destroy.

Date of Series: Earliest: 1950; Latest: Ongoing

TRAFFIC CASE FILES

Schedule: 2010.1109.j

Consists of: The individual juvenile court case files shall serve as the minutes. May include the following vital records: uniform traffic citations; complaints; petitions; all court orders; rights forms; notices of appeal; publications; applications for publication; transcripts; any other items in juvenile court files which are juvenile court generated and do not fall within the category of non-vital records. May include the following non-vital records: subpoenas; correspondence; intake data sheets; witness lists; route sheets; clerk or judge's benchnotes; applications for court appointed attorney; social histories; victim impact statements; any duplicates of court generated documents or records; essays; community service reports; applications for bond; and case histories transmitted by another juvenile court. May include non-vital documents generated by other persons or agencies such as the following: records of ankle monitoring agencies; police reports; Department of Family and Children Services reports; Department of Juvenile Justice reports; psychologicals; and school discipline/attendance records.

Retention: Cut off at the end of each calendar year. Hold in the current files area one (1) year from the calendar year in which the case was disposed of by disposition or remittitur. The court may then dispose of any documents or records defined above as "non-vital" or any non-juvenile court generated document which was not admitted into evidence. Transfer to local holding area; hold six (6) years; destroy.

Date of Series: Earliest: 1971; Latest: Ongoing

C. PROBATE COURTS STATEWIDE RECORDS RETENTION SCHEDULES

Probate Court Record Retention Schedules

2010.1201	Applications, Bonds, and Permits for Fireworks Displays
2010.1202	Election Tally Summary File
2010.1203	Estate Case Files
2010.1204	Involuntary Commitment Records
2010.1205	Lists of Persons Who Have Been Adjudicated As Mentally Incompetent
2010.1206	Marriage Records
2010.1207	Peddlers Licenses and Certificates of Eligibility Files
2010.1208	Weapons Carrying License Application File
2010.1209	Public Officers' Oaths and Bonds
2010.1210	Wills

Traffic Court Records, Transcripts, and Docket Books

2010.0301	Case Files
2010.0302	Docket Books
2010.0303	Minute Books
2010.0304	Books of Fines and Forfeitures
2010.0305	Records Concerning Traffic Violations Which Result in a Felony Charge

APPLICATIONS, BONDS, AND PERMITS FOR FIRE- WORKS DISPLAYS

Schedule: 2010.1201

Consists of: Applications for public display or exhibition of fireworks. Included are applications, bonds, evidence of liability insurance, and permits.

Retention: Hold in the current files area one (1) year; Transfer to local records center; Hold six (6) years; then destroy.

ELECTION TALLY SUMMARY FILE

Schedule: 2010.1202

Consists of: Included are election tally sheets.

Retention: Cut off after election; Retain permanently. After four (4) years, paper original may be transferred to county records center or a local holding area OR Convert to Digital format or microfilm format. If originals are digitized or microfilmed, retain digital format or microfilm format permanently. Paper originals may be destroyed one (1) year after digitizing microfilming.

ESTATE CASE FILE EXCLUDING WILLS

Schedule: 2010.1203

Consists of: The qualification of a legal representative and the management and distribution of the assets of an estate. Included are: original and recorded copies of all proceedings in relation to estates, excluding probate of wills. Examples are: applications for letters of appointment and dismissal of executors, administrators, and conservators under OCGA § 53; guardianships; applications for

years' support; inventories and appraisements; applications for leave to sell property; and annual and final returns.

Retention:

Recorded copy: Cut off when book is completed; retain permanently. Transfer to local records center, local holding area, or county archives is authorized after four (4) years. Digitizing or microfilming and destroying of post-1900 volumes is authorized. Recording by digitizing microfilming is authorized, as well as the production of paper copies from the digital version or film version by the copyflow method or any other authorized methods.

Original papers of estates closed prior to the use of imaging or Digitizing or photocopying as the method of recording: Retain permanently. Immediate transfer to local records center, local holding area, or county archives is authorized. Imaging or microfilming is authorized but the paper must be retained.

Original papers filed after the use of photocopying as the method of recording: Cut off at end of each calendar year; Hold in current files area twenty-five (25) years; then, transfer to county records center, local holding area, or county archives for permanent retention.

Digitizing and microfilming are authorized. If the records are digitized or microfilmed, the original paper file may not be destroyed until ten years after the case is closed or twenty-five (25) years after the file is begun, whichever occurs first.

Note: (1) Any digitizing must be done in accordance with Archives Electronic Document Imaging Systems standards and any microfilming must be done in accordance with microfilm standards established pursuant to the Georgia Microforms Act (OCGA 50-18-6).

(2) In any instance in which the records are maintained only in digital format or microfilm format, a reference copy of the film and digital reader or a microfilm reader-printer must be available in the court.

(HOSPITALIZATION) FILES CREATED PURSUANT TO PROCEEDINGS UNDER CHAPTER 3, 4, AND 7 OF TITLE 37 OF THE OFFICIAL CODE OF GEORGIA AN- NOTATED AND PROCEEDINGS UNDER PRIOR OFFI- CIAL CODES RELATING THERETO (Involuntary Commitment Records)

Schedule: 2010.1204

Consists of: The hospitalization and treatment of mentally ill, mentally retarded, alcoholics, drug-dependent individuals, and drug abusers. Included are originals of petitions, proceedings and orders relating to emergency admission, evaluation, and involuntary hospitalization, writ of habeas corpus, and protective orders, appointments of legal counsel and guardians ad litem, notices to parties, clinical or medical records of individuals, affidavits and certificates of examining physicians, and patient service plans. Hospitalization petitions may also contain guardianship applications.

Retention:

Hospitalization petitions filed on or after January 1, 1980: When notice of discharge from hospital is received or case is dismissed, remove from active file and place in inactive file; Cut off inactive file at end of each calendar year; Transfer to local holding area; Hold ten (10) years; then destroy.

Hospitalization petitions filed before January 1, 1980: When notice of discharge from hospital is received or verified and guardian of person or property of patient appointed under the hospitalization petition, if any, is dismissed, remove from active file and place in inactive file; Cut off inactive file at end of each calendar year; Transfer to local holding area; Hold twenty (20) years; then destroy.

LISTS OF PERSONS WHO HAVE BEEN ADJUDICATED AS MENTALLY INCOMPETENT

Schedule: 2010.1205

Consists of: Records relating to deleting from electors lists the names of those persons who have been adjudicated as mentally incompetent. Included are lists prepared monthly by the Judge of the Probate Court and filed with the registrar giving names, addresses, and ages of persons who appear to be disqualified from voting by reason of an adjudication of mental incompetency during the preceding month.

Retention: Retain two (2) years; then destroy.

MARRIAGE RECORDS

Schedule: 2010.1206

Consists of: Transcription, digitization, or photocopy of the marriage license recorded by the probate judge within 30 days of the marriage.

Retention: Permanent. Vital Record duplicate and store offsite.

PEDDLERS LICENSES AND CERTIFICATES OF ELIGIBILITY FILES

Schedule: 2010.1207

Consists of: Application for peddler's license and certificate of eligibility for disabled, indigent, disabled veterans, and the blind for a free license. Included are books or files containing any of the following:

- (1) receipt stubs of certificate or license;
- (2) application or affidavit for certificate or license;
- (3) letters of character reference;
- (4) letters from physicians of U.S. Veterans Administration
- (5) copies of applicant's military discharge; and
- (6) court copy of license.

Retention: Receipt books and other listed files: Cut off file series when book is filled if created; Hold in current files area two (2) years; then destroy.

WEAPONS CARRYING LICENSE APPLICATION FILE

Schedule: 2010.1208

Consists of: The licensing of county residents to carry a weapon. Included are approved and denied applications for licenses to carry a weapon and supporting documents. Applications contain information supplied by the applicants that is pertinent to their eligibility to apply for the license. Supporting documents include mental health waiver forms, law enforcement reports, rap sheets, and other documents relating to issuance of the license.

Retention: Hold six (6) years; then destroy.

Implementation recommendation: Because licenses are confidential records and because they have short-term value, it is recommended that they be maintained in file cabinets rather than being bound into post binders.

PUBLIC OFFICERS' OATHS AND BONDS

Schedule: 2010.1209

Consists of: The oaths of office and bonds of public officials filed in the probate court. Included are copies of written oaths of office and accompanying certificates issued by the officer administering the oath which specify the day and year taken; official bonds of county officials; and books containing recorded copies of official bonds.

Retention:

1. Oaths of Office
Retain for six (6) years after date of action.
2. Official Bonds
Retain for six (6) years
3. Books containing recorded copies of bonds
Cut off when book is filled; retain permanently.

EXCEPTION: For any of these records dated prior to 1900, retain permanently.

WILLS

Schedule: 2010.1210

Consists of: Wills of decedents. Included are original, photostatic, imaged, and recorded copies of probated wills of decedents. Specifically excluded are wills of living persons filed in the Probate Court for safekeeping and wills filed but not probated.

Retention:

Recorded copy: Retain permanently; Cut off file when book is complete; Transfer to a local records center, local holding area, or county archives is authorized after four (4) years. Imaging or Microfilming is authorized. For records Post-1900, volumes may be destroyed after imaging or microfilming and verification of the image or microfilm. Recording by imaging or microfilming is authorized, as well as the production of paper copies from the film by the copyflow or any other such method.

Original Wills: Wills filed prior to the use of recording by photocopying: Retain permanently. Immediate transfer to a local records center, local holding area, or county archives is authorized. Imaging or microfilming is authorized but the paper copy must be retained.

Wills filed after beginning the use of imaging or photocopying as the method of recording: Cut off at the end of each calendar year; Hold in the current files area permanently.

Original wills may be transferred during the four (4) year holding period to a county records center, local holding area, or county archives if the recorded copy is retained in the current files area. Imaging or microfilming is authorized but if the records are imaged or microfilmed, the original wills may not be destroyed.

Note: Any imaging must be done in accordance with Archives Electronic Document Imaging Systems standards or microfilming and

film storage must be done in accordance with microfilm standards established pursuant to the Georgia Microforms Act (OCGA 50-18-6). In any instance in which the records are maintained only in image format or microfilm format, a reference copy of the film and a microfilm or image reader-printer must be available in the court.

MISDEMEANOR TRANSCRIPTS AND TRAFFIC FILES AND TRANSCRIPTS

Schedule: 2010.0301 through 2010.0303

Consists of: Documents relating to certified verbatim records or narrative recollections of judicial proceedings in misdemeanor and traffic cases. Included are certified records of court reporters' transcripts and certified records in narrative form of recollections of the motions, colloquies, objections, rulings, evidence (documentary or otherwise), charge of the court and all proceedings in any judicial action based on a charge of a misdemeanor or traffic offense.

Retention:

- 2010.0301 *Certified Misdemeanor and Traffic Transcripts:*
Cut off file at end of calendar year; hold three (3) years; destroy.
- EXCEPTION:* Transcripts of cases resulting in sentences of five (5) or more years; hold for duration of sentence imposed; then destroy.

TRAFFIC COURT RECORDS TRANSCRIPTS AND DOCKET BOOKS

Schedule: 2010.0302 through 2010.0306

Consists of:

Case Files: Includes documents which are called or serve as the following: accusation, affidavit, appearance bond, arresting officer's affidavit, bail bond, cash bond, conviction, disposition, fine, indictment, judgment, motion, notice of appeal, notice of arraignment, notification of hearing, order, plea, pleading, sentence, subpoena, summons, uniform traffic citation, waiver, and warrant, or certified copies of the same.

Docket Books If Created: Books which generally contain essential information in summary form about each traffic case adjudicated. Most dockets contain an alphabetical index which references the defendant's name to the page number on which the case is docketed. This schedule applies to docket books which contain misdemeanor traffic records only.

Minute Books: Books which contain photo static copies of the accusation and disposition associated with each case, or contain type-written or handwritten entries detailing the defendant, charge, and disposition of each case. Only minute books exclusively for misdemeanor traffic violations are covered.

Books of Fines and Forfeitures: Books which contain listings of fines and forfeitures received by the court regarding each particular offense. Only books containing fines and forfeitures exclusively for misdemeanor traffic violations are covered.

Retention:

- 2010.0302 *Case Files:* Cut off file of disposed misdemeanor traffic cases at end of calendar year. Hold closed files six (6) years or if serious traffic; then, hold for twenty (20) years; then destroy.
- 2010.0303 *Docket Books If Created:* Hold docket books used exclusively for misdemeanor traffic cases ten (10) years from date of last disposition entry, then destroy; or digitize or microfilm docket books, hold for four (4) years from date of last disposition entry, then destroy docket books, retaining digital format or microfilm format for additional six (6) years; unless serious traffic as defined at OCGA §40-6-15 or not otherwise indexed retain for twenty (20) years.
- EXCEPTION:* If the docket contains an index to case files, hold the index portion ten (10) years, then destroy; hold the balance of the docket four (4) years, from date of last disposition entry, then destroy.
- 2010.0304 *Minute Books If Created:* Hold for ten (10) years from date of last disposition entry, then destroy; digital format or microfilm format, hold for four (4) years from date of last disposition entry, then destroy retaining digital format or microfilm format for an additional six (6) years; unless serious traffic as defined at OCGA §40-6-15 or not otherwise indexed retain for twenty (20) years.
- 2010.0305 *Books of Fines and Forfeitures:* Hold for ten (10) years from date of last disposition entry, then destroy. Hold in current files area for five (5) years or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later, then destroy.
- 2010.0306 *Records Concerning Traffic Violations Which Result In a Felony Charge:* Hold indefinitely unless specified otherwise by statute or order of the Supreme Court.

D. MAGISTRATE COURTS STATEWIDE RECORDS RETENTION SCHEDULES

Magistrate Court Record Retention Schedules

2010.1301	Arrest and Search Warrants Files
2010.1302	Good Behavior Bonds
2010.1303	Civil Case Files
2010.1304	Transcripts, Recordings, or Notes of Proceedings as Court Inquiry

Traffic Court Records, Transcripts, Docket Books, and Ordinance Violations

2010.0301	Case Files
2010.0302	Docket Books
2010.0303	Minute Books
2010.0304	Books of Fines and Forfeitures
2010.0305	Records Concerning Traffic Violations Which Result in a Felony Charge
2010.0306	Ordinance Violations

ARREST AND SEARCH WARRANTS FILES

Schedule: 2010.1301

Consists of: Documents relating to arrest and search warrants. Included are applications for warrants, supporting affidavits, and evidence. Specifically excludes the original of arrest warrants in which the defendant was bound over for trial by a magistrate to state or superior court. These original warrants should be transferred with the case file to the trial court.

Retention: Series 1983 to present: Cut off the file series at the end of each calendar year. Hold in the current files area ten (10) years; then destroy.

GOOD BEHAVIOR BONDS

Schedule: 2010.1302

Consists of: Applications for and issuance of Good Behavior Bonds

Retention: Ten (10) years; see OCGA § 17-6-90

CIVIL CASE FILES

Schedule: 2010.1303

Consists of: Documents relating to trying of civil cases in Magistrate Courts. Included are all pleadings, exhibits, transcripts, judgments, and related papers appropriate for inclusion in case files as required by statute or by the Uniform Rules for the Magistrate Courts. (Some courts maintain indexes to their case files and dockets. The retention of these indexes is covered in the schedule Magistrate Court Civil Dockets.) Includes affidavits for summons of dispossessory, applications for summons of foreclosure of personal property, and abandonment of automobiles or vessels.

Retention: Hold in active file until case is closed; then, place in inactive file. Then cut off inactive file at end of calendar year; hold ten (10) years and then destroy.

Note: Transfer of inactive file one year after cut-off to a county records center or local holding area is authorized. If a judgment is renewed or enforcement is actively pursued in accordance with OCGA § 9-12-60 within the ten-year period, transfer case back to current files area and treat as a newly closed case.

Date of Series: Earliest: July 1, 1983; Latest: Ongoing

MISDEMEANOR TRANSCRIPTS AND TRAFFIC FILES AND TRANSCRIPTS

Schedule: 2010.0301 through 2010.0306

Consists of: Documents relating to certified verbatim records or narrative recollections of judicial proceedings in misdemeanor and traffic cases. Included are certified records of court reporters' transcriptions and certified records in narrative form of recollections of the motions, colloquies, objections, rulings, evidence (documentary or otherwise), charge of the court and all proceedings in any judicial action based on a charge of a misdemeanor or traffic offense.

Retention:

2010.0301 *Certified Misdemeanor and Traffic Transcripts:* Cut off file at end of calendar year; hold three (3) years; destroy.

EXCEPTION: Transcripts of cases resulting in sentences of five (5) or more years. Hold for duration of sentence imposed

TRAFFIC COURT RECORDS TRANSCRIPTS AND DOCKET BOOKS

Schedule: 2010.0301 through 2010.0306

Consists of:

Case Files: Includes documents which are called or serve as the following: accusation, affidavit, appearance bond, arresting officer's affidavit, bail bond, cash bond, conviction, disposition, fine, indictment, judgment, motion, notice of appeal, notice of arraignment, notification of hearing, order, plea, pleading, sentence, subpoena, summons, uniform traffic citation, waiver, and warrant, or certified copies of the same.

Docket Books If Created: Books which generally contain essential information in summary form about each traffic case adjudicated. Most dockets contain an alphabetical index which references the defendant's name to the page number on which the case is docketed. This schedule applies to docket books which contain misdemeanor traffic records only.

Minute Books: Books which contain photo static copies of the accusation and disposition associated with each case, or contain typewritten or handwritten entries detailing the defendant, charge and disposition of each case. Only minute books exclusively for misdemeanor traffic violations are covered.

Books of Fines and Forfeitures: Books which contain listings of fines and forfeitures received by the court regarding each particular offense. Only books containing fines and forfeitures exclusively for misdemeanor traffic violations are covered.

Retention:

- 2010.0301 *Case Files*: Cut off file of disposed misdemeanor traffic cases at end of calendar year. Hold closed files six (6) years or if serious traffic; then, hold for twenty (20) years; then destroy.
- 2010.0302 *Docket Books If Created*: Hold docket books used exclusively for misdemeanor traffic cases ten (10) years from date of last disposition entry, then destroy; or digitize or microfilm docket books, hold for four (4) years from date of last disposition entry, then destroy docket books, retaining digital format or microfilm format for additional six (6) years; unless serious traffic as defined at OCGA §40-6-15 or not otherwise indexed retain for twenty (20) years.
- EXCEPTION*: If the docket contains an index to case files, hold the index portion ten (10) years, then destroy; hold the balance of the docket four (4) years, from date of last disposition entry, then destroy.
- 2010.0303 *Minute Books If Created*: Hold for ten (10) years from date of last disposition entry, then destroy; digital format or microfilm format, hold for four (4) years from date of last disposition entry, then destroy retaining digital format or microfilm format for an additional six (6) years; unless serious traffic as defined at 501 or not otherwise indexed retain for twenty (20) years.
- 2010.0304 *Books of Fines and Forfeitures*: Hold for ten (10) years from date of last disposition entry, then destroy. Hold in current files area for five (5) years or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later, then destroy.
- 2010.0305 *Records Concerning Traffic Violations Which Result In a Felony Charge*: Hold indefinitely unless specified otherwise by statute or order of the Supreme Court.

Ordinance Violations**Schedule:** 2010.0306**Consists of:** Records concerning ordinance violations**Retention:** Two (2) years, hold in closed files for two (2) years; see OCGA §15-10-63**E. PROSECUTING ATTORNEYS RECORD RETENTION SCHEDULES**

Prosecuting Attorneys Record Retention Schedules

2010.1501	Misdemeanor, Traffic, and Ordinance Violations
2010.1502	Prosecutor's Felony Case Files
2010.1503	District Attorney's Files on Child Support – UIFSA or URESA
2010.1504	District Attorney's Child Support Undocumented Case Files
2012.1505	Prosecutor's Dismissed Misdemeanor and Misdemeanor Traffic Case Files
2010.1506	Attorney Case Files

MISDEMEANOR, TRAFFIC, AND ORDINANCE VIOLATIONS**Schedule:** 2010.1501**Consists of:** Documents relating to the investigation and prosecution of misdemeanor and misdemeanor traffic under Georgia law and alleged violations of county ordinances which are brought against individuals and corporations.**Retention:** Transfer to closed files when all direct appeals are completed or right to a direct appeal has terminated; then, hold in closed file area until end of calendar year; then, transfer to local holding facility (Records Center), hold five (5) years; then destroy.**Date of Series:** Earliest 1853; Latest: Ongoing**PROSECUTOR'S FELONY CASE FILES****Schedule:** 2010.1502**Consists of:** Documents relating to prosecution of individuals for felony violations of Georgia law. This file series is within the District Attorney's office.**Retention:** Transfer to closed files when all appeals are completed or right to direct appeal terminates; then, transfer to local holding area, hold for one (1) year (if facilities are available) or transfer to Records Center and hold for twenty-five (25) years (including any period of time held in holding area (provided that the Records Center facility is available: then destroy.**DISTRICT ATTORNEYS' FILES ON CHILD SUPPORT (UIFSA OR URESA)****Schedule:** 2010.1503**Consists of:** Documents relating to civil actions brought by the District Attorney on behalf of a parent or guardian to obtain for enforce support of minor children. Included are petitions, pauper's affidavits, summons and rule nisi, rules for contempt, orders, answers, depositions, interrogatories, other discovery papers, pleadings, transcript, judgments, motions, District Attorney's personal notes, notice of appeal, briefs and other related documents.**Date of Series:** Earliest: 1954; Latest: Ongoing

DISTRICT ATTORNEY'S CHILD SUPPORT (UIFSA OR URESA) UNDOCUMENTED CASE FILES

Schedule: 2010.1504

Consists of: Documents relating to cases referred to the District Attorney's office by the Department of Human Services pursuant to OCGA § 19-11-1 et. seq. which were not docketed in any court due to insufficiency of the evidence or statements made by the custodial parent (recipient) which prevent initiation of a paternity action. Included are DHS referral documents, correspondence relating to case, notices to potential defendant and affidavit of custodial parent as to paternity.

Retention: Transfer to closed case files upon administrative determination that evidence is insufficient to obtain a judgment; then, hold in closed case files until end of calendar year; cut off at end of calendar year ; then, transfer to local holding area (if available) hold three (3) years; then destroy.

Date of Series: Earliest: 1975; Latest: Ongoing

PROSECUTOR'S DISMISSED MISDEMEANOR AND MISDEMEANOR TRAFFIC CASE FILES

Schedule: 2010.1505

Consists of: Records of cases referred to Prosecutor investigation of Misdemeanor, misdemeanor traffic, or ordinance violations dismissed before filing.

OBTS form forwarded to GCIC; if local practice require it – return original to clerk.

Retention: Retain three (3) years; hold in closed files for no longer than one (1) year; transfer to local holding area; then destroy.

ATTORNEY CASE FILES

Schedule: 2010.1506

Consists of: Records to documentation of agency attorney in advising and representing the agency.

Retention: Six (6) years, after settlement of case.

Retention: Cut off file series at the end of each calendar year; transfer to closed files when case is closed by court order or operation of law; then, hold in closed files to the end of calendar year; cut off at end of calendar year; then, transfer to local holding area (if available), hold three (3) years; then destroy.

Judicial Council of Georgia
Administrative Office of the Courts
244 Washington Street, SW • Suite 300
Atlanta, GA 30334
404-656-5171 • www.georgiacourts.gov

7. New Business

Website for Provision of Language Interpreters

http://www.lep.gov/resources/tips_and_tools-9-21-04.htm



Office of the General Counsel
Administrative Office of the Courts

Marla S. Moore
Director

Memorandum

To: Judicial Council of Georgia Members

From: Cynthia H. Clanton *CHC*
General Counsel

Date: August 18, 2010

Re: Judicial Council Domestic Violence Committee Report (FY 2010-11)

CC: Judge William T. Boyett, Chair, Judicial Council DV Committee

On June 29, 2010, the Judicial Council Domestic Violence Committee met to discuss six grant applications for funds to provide civil legal services to victims of family violence. Awards were made to each of the agencies totaling \$1,849,415.

Attached for your information is the annual report from the Committee.

**Judicial Council Committee on Domestic Violence
Annual Report to the Judicial Council of Georgia**

FY 2010 Report (Final)

The Judicial Council Domestic Violence Committee annually grants to Georgia nonprofits funds to provide free civil legal services to approximately 4,500 impoverished victims of family violence and their children. The Legislature appropriates funds each year for this purpose. For fiscal year 2010, the amount of \$1,942,696.00 in state funds was appropriated to the Judicial Council and six nonprofit agencies received grants after a competitive grant process. The grant recipients were as follows:

<u>FY 2010 Grant Recipients</u>	<u>Area(s) Covered</u>
Amity House	Glynn county
Atlanta Legal Aid, Inc.	Metro Atlanta (5 counties)
Gateway House, Inc.	Hall county
Georgia Law Center for the Homeless	Fulton and DeKalb counties
Georgia Legal Services Program	All counties outside metro Atlanta
Northeast Georgia Shelter Collaborative	11 counties in north Georgia served by 5 shelters

FY 2011 Report (Preliminary)

The Judicial Council Domestic Violence Committee met on June 29, 2010, and considered applications for funds from agencies throughout Georgia. The total amount requested from these agencies was \$1,815,000. The total amount available for grantees for FY 2011 was \$1,849,415 (which was slightly more than the requested amounts). After much deliberation, grant awards were made to the following agencies:

FY 2011 Grant Recipients*

Amity House	\$ 8,323.70
Atlanta Legal Aid, Inc.	\$ 473,489.00
Gateway House, Inc.	\$ 17,000.00
Georgia Law Center for the Homeless	\$ 30,000.00
Georgia Legal Services Program	\$1,270,602.30
Northeast Georgia Shelter Collaborative	\$ 50,000.00

*These awards may be reduced due to budget reductions sustained in FY 2011.

The 2010-2011 Judicial Council Domestic Violence Committee members were:

Judge William T. Boyett, Chair	Judge Anne E. Barnes
Judge William P. Bartles	Judge Thomas Bobbitt
Judge Maria Golick	Judge Divida Gude
Judge Horace Johnson	Judge Tripp Self
Judge J. Carlisle Overstreet	Allegra Lawrence-Hardy
Linda A. Klein	Jody Overcash, advisor
Kirsten Rambo, advisor	Cynthia Clanton and Deborah Boddie, AOC

Respectfully submitted,

The Honorable William T. Boyett
Chair, Judicial Council Committee on Domestic Violence

September 17, 2010



SUPREME COURT OF GEORGIA

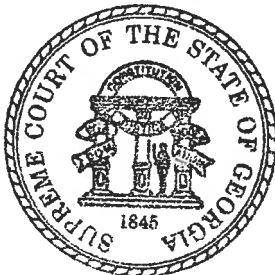
Atlanta April 10, 2003

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

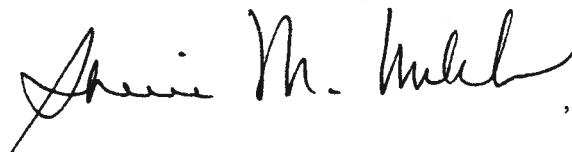
It is ordered that this Court's order of August 5, 1983, establishing rules for the Judicial Council of Georgia, be hereby amended to provide for an absent member's designee to vote in certain circumstances, to read as follows:

All members shall be entitled to vote, except as hereinafter specified. A member unable to attend a meeting shall be entitled to be represented by a judge, designated by the absent member, who may be heard but shall not be entitled to vote. In the event that the member is unable to attend a meeting due to illness, incapacitation, or the death of an immediate family member, the designee shall be entitled to vote.



SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I hereby certify that the above is a true extract from
The minutes of the Supreme Court of Georgia
Witness my signature and the seal of said court hereto
Affixed the day and year last above written.

 , Clerk



SUPREME COURT OF GEORGIA

Atlanta April 13, 2009

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

Pursuant to the authority of OCGA § 15-5-20, and the authority of this Court, it is hereby ordered that this Court's Order of August 5, 1983, as amended, relating to the membership of the Judicial Council of Georgia, and beginning, "Pursuant to the authority," be hereby amended to include the President of the Council of Municipal Court Judges as a voting member of the Judicial Council. Therefore, the second paragraph of the order will be amended to read as follows:

"The membership of the Judicial Council shall be as follows:

Chief Justice of the Supreme Court of Georgia;

Presiding Justice of the Supreme Court of Georgia;

Chief Judge of the Court of Appeals of Georgia;

Judge of the Court of Appeals selected by the members of that Court;

President and president elect of the Council of Superior Court Judges;

Ten administrative district judges selected as provided by law (see OCGA § 15-5-4);

President and president elect of the Council of State Court Judges;

President and president elect of the Council of Juvenile Court Judges;

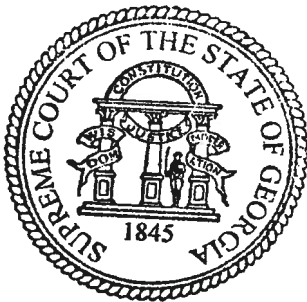
President and president elect of the Council of Probate Court Judges;

President and president elect of the Council of Magistrate Court Judges; and

President of the Council of Municipal Court Judges.

Portions of this Court's previous orders inconsistent with the foregoing are hereby revoked. All other portions of this Court's Order of August 5, 1983, as

amended, shall remain in force and effect, unless otherwise amended by this Court or by law.



SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I hereby certify that the above is a true extract from
the minutes of the Supreme Court of Georgia

Witness my signature and the seal of said court hereto
affixed the day and year last above written.

Theresa S. Bann, Clerk

SUPREME COURT OF GEORGIA

ATLANTA, AUG - 5 1983

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

Pursuant to the authority of OCGA § 15-5-20, as amended, Ga. L. 1983, pp. 956, 960, and the authority of this Court, the Judicial Council of Georgia is hereby continued in existence.

The membership of the Judicial Council shall be as follows:

Chief Justice of the Supreme Court

Presiding Justice of the Supreme Court

Chief Judge of the Court of Appeals

Judge of the Court of Appeals selected by the members of that Court

President and president elect of the Council of Superior Court Judges

Ten administrative district judges selected as provided by law (see

OCGA § 15-5-4)

President and president elect of the Council of State Court Judges

President and president elect of the Council of Juvenile Court

Judges

President and president elect of the Council of Probate Judges

President and president elect of the Council of Magistrate Court

Judges.

Members of the Judicial Council shall serve while holding their respective offices specified above, except that the term of the Judge selected by the Court of Appeals shall not exceed two years. All members shall be entitled to vote, except as hereinafter specified. A member unable to attend a meeting shall be entitled to be represented by a judge

SUPREME COURT OF THE STATE OF GEORGIA,

CLERK'S OFFICE, ATLANTA,

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Robert C. Linder, Deputy

Clerk.

SUPREME COURT OF GEORGIA

ATLANTA, AUG - 5 1933

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

designated by the absent member which representative may be heard but shall not be entitled to vote.

The Chief Justice of the Supreme Court shall serve as chairman and presiding officer and shall vote only in the event of a tie. In the absence of the Chief Justice, the Presiding Justice of the Supreme Court shall preside and, when presiding, shall vote only in the event of a tie.

There shall be two standing committees, as follows:

(1) The Standing Committee on Administration shall be composed of the Chief Justice (chairman), the Judge selected by the Court of Appeals, the President of the Council of Superior Court Judges (vice-chairman), and the ten Administrative District Judges.

(2) The Standing Committee on Policy shall be composed of the Presiding Justice (chairman), the Chief Judge of the Court of Appeals (vice-chairman), the president-elect of the Council of Superior Court Judges, and the presidents of the Councils of State Court Judges, Juvenile Court Judges, Probate Court Judges and Magistrate Court Judges.

The Chief Justice and Presiding Justice, or in their absence the vice-chairman, shall preside at standing committee meetings and shall vote only in the event of a tie. The Chief Justice may appoint other committees to make studies and recommendations as necessary or desirable and the standing committee chairmen may appoint subcommittees.

SUPREME COURT OF THE STATE OF GEORGIA.

CLERK'S OFFICE, ATLANTA.

I certify that the above is a true extract from the minutes
of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed
the day and year last above written.

Chas. E. Hickey, Deputy Clerk.

SUPREME COURT OF GEORGIA

ATLANTA, AUG - 5 1933

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

The Judicial Council of Georgia shall have such powers, duties and responsibilities as provided by law or by rule of the Supreme Court. Meetings of the Council shall be called by its chairman or by one-third of its members after reasonable notice to all members.

Members of the Council shall receive no compensation for their services but shall be reimbursed for their actual expenses incurred in the performance of their duties as members of the Council.

Funds for operation of the Judicial Council and the Administrative Office of the Courts shall be requested in the name of the Judicial Council of Georgia.

Those portions of orders of the Supreme Court dated February 6, 1980, as amended January 15, 1981, and December 14, 1981, inconsistent with the foregoing are hereby revoked.

SUPREME COURT OF THE STATE OF GEORGIA,

CLERK'S OFFICE, ATLANTA,

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Walter A. Hightower, Deputy

Clerk.

SUPREME COURT OF GEORGIA

ATLANTA, AUG - 5 1963

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

The Administrative Committee of the Judicial Council is hereby directed as follows:

(1) To compile a list of defeated senior judges as defined in the Rules for Service of Senior Judges;

(2) To contact such senior judges informally and determine which of them desires to be approved pursuant to Rule S-6 of such Rules;

(3) To recommend to this court, after secret ballot and upon two-thirds favorable vote of the Administrative Committee, which of such judges should be approved for service as senior judges and which of such judges, if any, should not be so approved;

(4) To advise the Supreme Court by confidential communication in writing as to the results of the Administrative Committee's recommendations;

(5) To make a recommendation to the Supreme Court by the foregoing procedure when any judge is defeated in the future;

(6) To review, by the foregoing procedure, at least annually, the status of such judges as the Committee has recommended for approval or disapproval and advise the Supreme Court of the result of such review;

(7) To notify the Supreme Court when the Committee at any time during the year determines that the Supreme Court's approval of any such judge should be withdrawn or revoked.

SUPREME COURT OF THE STATE OF GEORGIA.

CLERK'S OFFICE, ATLANTA.

I certify that the above is a true extract from the minutes
of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed
the day and year last above written.

Loyal & Limerick, Deputy

Clerk.